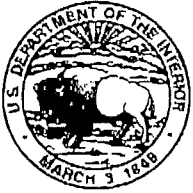


EXHIBIT E

Comment Letters (Printed separately)

(1)



IN REPLY REFER TO

United States Department of the Interior

NATIONAL PARK SERVICE
Mississippi National River and Recreation Area
111 E. Kellogg Blvd., Ste. 105
St. Paul, Minnesota 55101-1256

L7621(MISS)

September 13, 2006

Michael Orange
Consulting Planner
City of Minneapolis
619 10th Street South
Minneapolis, MN 55415

Dear Mr. Orange:

This letter contains comments from the National Park Service (NPS) on the Environmental Assessment Worksheet (EAW) for the proposed project called The Wave. The Mississippi riverfront property being proposed for development is owned by the Minneapolis Park and Recreation Board and is part of the Saint Anthony Falls Historic District. The project site is also located entirely within the Mississippi National River and Recreation Area (MNRRA), a unit of the national park system. The MNRRA was established by Congress in 1988 to protect, preserve, and enhance the significant values of the Mississippi River corridor through the Twin Cities metropolitan area. A Comprehensive Management Plan (CMP) for the MNRRA was approved in 1995. The CMP provides a policy framework for the coordinated efforts of federal, state, and local authorities, as well as the general public, to protect and interpret the nationally significant resources of the corridor and for analyzing plans and individual actions in the area.

The discussion of the MNRRA and consistency with the MNRRA CMP in Attachment 9 to the EAW (Consistency with Adopted Plans, Policies, Guidelines, and Regulations Applicable to the Wave Project) is inaccurate and appears instead to be a discussion of consistency with the state Mississippi River Corridor Critical Area. These sections include item 6 of Part I on page 8 and item 6 of Part II on page 13. The EAW should contain an evaluation of the proposed project's consistency with the MNRRA Comprehensive Management Plan.

The EAW, largely relying upon the 106 Group report, provides an excellent overview and informative details on the history and historic sites of the project area. Overall, we concur with the analysis and conclusions of the EAW regarding the impact of The Wave Project on historic resources. As the EAW states:

The most dramatic effects of the currently proposed development would be partial or complete destruction of the four sites due to construction of the building, particularly the parking ramps. Even with some preservation of foundation walls and ruins in situ, there would still be a loss to the setting and feeling of the sites, unless adjustments are made to the design of the building. (p. 27)

The EAW notes on page 27 that the Fuji Ya site has not been evaluated but doubts it would be significant enough to meet the exception requirements of the National Register for buildings less than 50 years of

age. We are not convinced of this. We believe the project proposer should evaluate the Fuji Ya site's potential eligibility and, if determined eligible, take into account the proposed project's impacts on the Fuji Ya site.

Overall, we see no evidence in the EAW that The Wave project would meet any of the Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties (Secretary's Standards). It is suggested on pages 28-29 of the EAW that the project would meet one of the Secretary's Standards in that it would not create a false sense of history. The idea of the standard here is to avoid mimicking a historic site, not just to make it different. Since the EAW does not present detailed plans for the former Fuji Ya restaurant, it is not clear to us how any of the Secretary's Standards would be met for this structure. We agree with the EAW's conclusions regarding The Wave project's failure to meet key guidelines of the Minneapolis Heritage Preservation Commission and the potential adverse visual effects on the Saint Anthony Falls Historic District, as discussed on pages 29-31.

The EAW states that the development could be made visually compatible by an exterior design that fits the Saint Anthony Falls Historic District better. This is true. However, the physical impact to the archeological sites would still occur. We would need to review any new exterior design before we could comment upon its effects. The EAW further addresses "Mitigation Strategies" for the building design. While these strategies could lessen the adverse physical and visual effects of the currently proposed project, the strategies do not constitute mitigation under the Section 106 process. Mitigation under Section 106 is the compensation for adverse effects agreed to during negotiation of a Memorandum of Agreement. The strategies proposed in the report should be considered ways to meet the Secretary's Standards, and thereby avoid adverse effects. We also note that EAW does not incorporate all the options for avoiding adverse effect found in Table 3 of the 106 Group's report, such as moving the parking lot. The EAW should consider all of the options presented in Table 3.

We disagree with the conclusion that the only future outcome for the property under the No Build Alternative is deterioration, as is suggested in the EAW. Many futures are possible. For example, the Minneapolis Park and Recreation Board could find funding to incorporate the archeological sites on the property into Mill Ruins Park, thereby preserving and interpreting them.

Among the NPS's chief purposes within the MNRRA are the preservation, enhancement, and interpretation archeological, ethnographic, and historic resources. Of all the nationally significant resources for which Congress established the MNRRA, the Saint Anthony Falls Historic District is one of the most important. As currently proposed, the Wave proposal would unquestionably result in significant adverse impacts upon the Saint Anthony Falls Historic District, and therefore, on the entire MNRRA. As such, the Wave Project does not comply with the historic preservation provisions of the MNRRA CMP and should not be approved as proposed.

Thank you for the opportunity to comment on the Environmental Assessment Worksheet (EAW) for The Wave. If you have any questions concerning our comments please contact me at 651-290-3030, ext. 223.

Sincerely,



Steven P. Johnson
Acting Superintendent

cc:

Greg Mathis, Minneapolis Heritage Preservation Commission
Dennis Gimmestad, Minnesota Historical Society

(2)

Orange, Michael

From: Scott Anfinson [Scott.Anfinson@state.mn.us]
Sent: Wednesday, September 13, 2006 4:09 PM
To: Orange, Michael
Subject: Wave EAW

Michael:

These are the comments of the Minnesota Office of the State Archaeologist with regard to the Wave Development EAW.

As an archaeologist, I have been involved with the review of St. Anthony Falls Historic District development projects since the early 1980s. As Municipal-County Highway Archaeologist (1975-1990) for the Minnesota Historical Society (MHS), I reviewed the West River Parkway and Hennepin Avenue Bridge projects both of which had extensive archaeological impacts. As the archaeologist (1990-2005) for the State Historic Preservation Office (SHPO), I reviewed numerous projects in the historic district, many of which had archaeological implications – the Federal Reserve Bank and Mill Ruins Park to name two. I was appointed State Archaeologist in January of this year and have been involved with licensing and reviewing a number of projects on public land such as the Wave development. I list these duties and projects as they establish my official credentials and expertise to appropriately comment on the Wave development.

I am also commenting as one of the most knowledgeable researchers of Mill District history and as one who holds the district near and dear. I have written books about the district, taught Elderhostel classes about the district, and given innumerable tours and talks about the district. My expertise in these cases goes beyond archaeology and speaks to larger issues such as the historical integrity of the district as a whole and what I think is good for the City of Minneapolis. Based on my various official project reviews over the last 25 years and my research interests in the Mill District, my comments will speak to both archaeological impacts and larger impacts to the historic district.

With regard to archaeological impacts, it is clear from the EAW that the proposed Wave development will have an adverse effect to several archaeological sites – the Bassett Sawmill, the Columbia Flour Mill, the Occidental Flour Mill, and the Minneapolis Eastern Railroad facilities associated with these mills. All four of these sites are within the National Register of Historic Places (NRHP) listed district and I consider all four of them to be contributing to the district. As indicated in the answer to Question 25 in the EAW, the archaeological consultants who assessed the impacts on the Wave development on these sites considered them individually eligible to the NRHP under Criterion A (importance to history) and possibly Criterion D (research potential). I concur with these determinations.

Impacts to sites eligible under just NRHP Criterion D are generally mitigatable though intensive archaeological excavation because the significant data is theoretically recovered. If, as suggested in the EAW, additional archaeological work was done at these sites, the Criterion D impacts could be adequately mitigated.

Impacts to sites eligible under Criterion A are not so easily mitigated because it is the very *in situ* presence of their artifacts, bricks, and mortar that give them integrity and provide the means to convey their significance. Various treatments can reduce adverse impacts to Criterion A sites, but if the site is significantly altered, the site loses its eligibility due to a loss of integrity. I see no way that the adverse impacts of the Wave development to the Criterion A aspects of the sites can be adequately mitigated. Keeping pieces, interpreting pieces, and displaying pieces is not enough. The ruins of the Bassett Sawmill are the last substantial remnant of the sawmilling industry in the historic district. The ruins of

9/15/2006

the Columbia Mill and Occidental Mill are some of the most substantial and certainly the least developed above ground ruins in the district. To further damage any of these ruins would be a travesty to the city's history and clearly result in the sites becoming non-contributing within the district.

With regard to the non-archaeological impacts of the Wave development, they are numerous and profound. I will touch on a few.

The Fuji-Ya restaurant is probably individually eligible to the NRHP even though it is less than 50-years old. It was one of the first new developments to re-colonize the Mill District after the district had been largely abandoned after the construction of the Upper Lock and Dam in the early 1960s. As a college student at the University of Minnesota in the early 1970s, I have fond memories of my visits to Fuji-Ya as they not only gave me my first glimpses of Japanese culture, but gave me my first reasons for visiting the Mill District. The Wave Development would result in an adverse impact to the Fuji-Ya.

I was an early member of the Minneapolis Riverfront Technical Advisory Committee (TAC). I remember the days when historians, city officials, and developers were all desperate to obtain critical mass in the district so we could better interpret and preserve the sites, improve tax revenue and recreation, and make private initiatives successful business propositions. The completion of West River Parkway was perhaps the critical element in finally reaching critical mass.

The leadership of Bob Mattson at the Minneapolis Park and Recreation Board (MPRB) paved the way for more than a parkway. Bob first conceived of Mill Ruins Park, another critical development. Bob and the MPRB recognized early on the importance of the archaeological remnants to achieving the goals of "good history, good recreation, and good business." The parkway was realigned in at least two locations to preserve important archaeological sites; the waterpower canal gate structure and the 1st and 2nd Hennepin Avenue bridge remains. The importance of both of these locations are now interpreted and celebrated along the parkway.

Because the MPRB was such an early and strong proponent of historic preservation in the historic district, I find it incredibly ironic and saddening that they are not only supporting the Wave development, but making it possible through the sale of their land. The direct loss of the archaeological sites and Fuji-Ya as well as the larger adverse impacts of the Wave development to the historic district should cause the MPRB to collectively hang their heads in shame.

Perhaps the most profound impact of the Wave development would be to the historic district as a whole. I was on hand for the groundbreaking of the Riverwest Apartments in 1989. The mayor of Minneapolis as well as numerous city officials were there and all of them were very happy because they were so desperate to get private development going in the Mill District. There were two of us that were sad that day – me and Reikko Westin. We both recognized that the city was losing some of its soul by building a wall between downtown and the river. Almost all of those city officials have now admitted that Riverwest was a mistake.

We have reached critical mass in the re-establishment of the vitality of the St. Anthony Falls Historic District. The new Guthrie Theatre is proof enough. However, in our striving to reach commercial vitality, we are in danger of losing one of the three critical elements of the district – history, an element that is part of the very title. We have so little of the original historic fabric left that each time we lose a little, we come closer to losing the entire entity. As with successful business, there is a critical mass for history. Without that mass, the district can be de-listed from the National Register and we end up with a few scattered buildings and sites that individually retain enough integrity for listing, but the old becomes lost amid the new.

I have never been against private development in the Mill District because that development is critical to maintaining interest in the city's riverfront history and that interest is critical to historic preservation within the district. But there are appropriate and inappropriate developments. Once business becomes

more important than history and inappropriate developments become the rule not the exception, we are in danger of losing the authentic history completely. Then the Mill District becomes "Historyland" where little is original and it is difficult to sort out fact from fiction. Old buildings and ruins don't have to be "charming" to warrant preservation. As a colleague of mine once said, "It's not the National Register of Pretty Places."

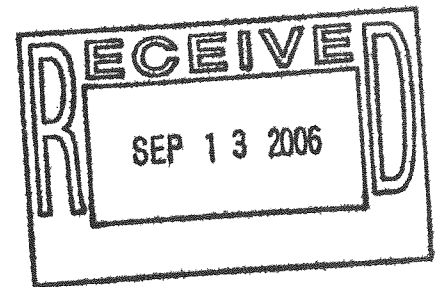
I think it would be a grave mistake for the city of Minneapolis to permit the Wave development to proceed in a manner that would not only destroy some very significant historic fabric, but to create another wall between the city's past and the city's future. Furthermore, the MPRB needs to examine their own history and learn some lessons from their benevolent and widely beneficial previous decisions along West River Parkway.

Sincerely,

Scott Anfinson
Minnesota State Archaeologist



MINNESOTA HISTORICAL SOCIETY
State Historic Preservation Office



September 12, 2006

Mr. Michael Orange
Consulting Planner
City of Minneapolis
Minneapolis City Hall, Room 210
350 South 5th Street
Minneapolis, MN 55415

Re: EAW – The Wave
304-320 First Street South, Minneapolis, Hennepin County
SHPO Number: 2006-2740

Dear Mr. Orange:

Thank you for providing this office with a copy of the Environmental Assessment Worksheet (EAW) for the above-referenced project. It has been reviewed pursuant to responsibilities given to the Minnesota Historical Society by the Minnesota Historic Sites Act and the Minnesota Field Archaeology Act and through the process outlined in Minnesota Rules 4410.1600.

As you know, this project proposal is located within the boundaries of the St. Anthony Falls Historic District, which is listed on the National Register of Historic Places and has been designated a historic district under the Minnesota Historic Districts Act. The heart of the district is St. Anthony Falls itself, the only major waterfall on the Mississippi River. The milling industry that harnessed this waterpower provided the core of Minneapolis' early economic development. From 1880 through 1930, this area put the city on the map as the "Mill City", leading the world in flour production.

Two canals to carry this waterpower were built on the west and east banks of the river. From these canals, an elaborate system of headraces and tailraces led to and from the turbines that provided the energy to drive the mills. The westside canal of the Minneapolis Mill Company was the larger of the two. Begun in 1858, it was patterned after projects in Lowell and Lawrence, Massachusetts. The Minneapolis canal pushed the engineering design further to serve mill sites on *both* sides of the canal. The canal, headraces, tailraces, and mills formed one giant industrial complex of international importance.

The Occidental Feed Mill, the Columbia Flour Mill, and Bassett's Second Sawmill, all located within the proposed WAVE development parcel, were the northernmost mills that powered off this westside canal. From here, the system extended downriver over three blocks to the Palisade Mill, whose ruins survive today across West River Parkway from the Guthrie Theatre.

As part of this industrial waterpower complex, the eastern portion of the WAVE site is in the historic district's "inner circle". Our comments on the EAW are made in light of this importance.

1. Regarding the **identification** of historic properties:

A. The EAW acknowledges the presence of the Occidental Feed Mill, the Columbia Flour Mill, Bassett's Second Sawmill, and the Minneapolis Eastern Railway Company features within the project development parcel. While the EAW states that these properties "have been *determined eligible* to the National Register", the fact is that all of these properties are actually listed on the National Register by virtue of the fact that they are within the St. Anthony Falls Historic District. The EAW acknowledges that they are all contributing elements of the district. However, the EAW does not include a thorough discussion of their role as component parts of the westside power canal industrial system.

B. The EAW concludes that the Fuji Ya building is a non-historic property. We believe that the Fuji Ya building may have exceptional significance for its associations with the rediscovery of the Minneapolis riverfront. Restaurateur Reiko Weston's pioneering move to the riverfront area represents the initial stages of a major trend in Minneapolis city development during the late 20th century. The design of her c. 1967 restaurant building, integrating modern construction with the preservation of portions of the lower levels of the Bassett and Columbia mills, represents an early effort at conservation of historic resources even before the historic district was designated. We believe that this building is significant in its own right and should be considered a historic property; more discussion of the background and significance of this property is needed.

C. The EAW documents the presence of the wide variety of other historic properties surrounding the development parcel, including properties that contribute to the historic district as well as those which are located proximate to the district. One property that appears to have been overlooked is a rail corridor that passes under 1st Street, immediately adjacent to the project site.

2. Regarding the assessment of **project effect**:

A. The EAW makes it clear that the Proposed Development Alternative would have substantial adverse effects on several fronts, including:

- * the destruction of historic mill ruins
- * new construction that is out of character with the historic district, substantially out of conformance with local design guidelines and the Secretary of the Interior's Standards for historic preservation projects
- * diminishment of the views of and from many historic properties within and proximate to the historic district.

B. Taking into account our assessment that the Fuji Ya building is historically significant, we also conclude that any work on this building that does not meet the Secretary of the Interior's Standards for Rehabilitation would also be an adverse effect.

C. The cumulative effect analysis is inadequate. The discussion does not clearly identify past, present, or reasonably foreseeable future projects that may interact with the proposed project in a way to cause cumulative impacts. Cumulative visual effects, effects on views, and effects on ruins and archaeological resources all need better assessment.

3. Considering the importance of this portion of the historic district, and the degree of adverse effect, we conclude that the EAW does not present an adequate analysis of **project alternatives**. Further discussion of alternatives should include the following:

A. The **No Build Alternative** needs to be further developed. The discussion of this alternative in the EAW essentially describes a static condition, with little change to historic resources except for neglect and deterioration. However, as we understand the situation, the Minneapolis Park and Recreation Board (MPRB) has agreed to sell the property to Omni Investment pending the completion of required local approvals for the project. What is missing from the discussion of the "No Build" is an exploration of what may happen to the parcel if project approvals are not obtained and the proposed project is not built. Strategies that could better preserve the site's historic properties – under the continued ownership of the MPRB or under other public or private ownership – need to be examined. Such strategies should include consideration of parking needs for riverfront visitors.

B. A **Revised Development Alternative** needs to be developed. Table 3 of The 106 Group's report (August 2006) includes a wide range of suggested measures to "reduce or remove adverse effects" to the historic resources on the development parcel. Some, but not all, of these measures are included in the EAW as "design option" mitigation strategies. By presenting only a selected number of these measures as *mitigation* to the Proposed Development Alternative, the EAW fails to thoroughly analyze the recommended measures and formulate a Revised Development Alternative which could achieve the project goals while avoiding or greatly reducing effects to historic resources. It is important that such a Revised Development Alternative be fully explored before the local approval process begins.

C. Any discussion of the No Build Alternative, the Proposed Development Alternative, or a Revised Development Alternative should include a thorough analysis of the rehabilitation of the Fuji Ya building, taking into account its historical significance, local design guidelines, and the Secretary of the Interior's Standards for Rehabilitation.

4. The **mitigation strategies** section of the EAW includes archaeological data recovery and historical interpretation as potential mitigation items. Project alternatives that would reduce or avoid adverse effects need more consideration, and these could reduce or eliminate mitigation needs. That said, both archaeological data recovery and historical interpretation are appropriate mitigation strategies, if needed. Any archaeological data recovery should be under the direction of a historical archaeologist with experience in industrial archaeology, and research questions should be framed within the context of the historic waterpower system. Additional mitigation measures that reinforce the historic values in this part of the St. Anthony Falls Historic District need to be developed

for any project alternative that does not achieve a substantial reduction of the level of effect discussed for the Proposed Development Alternative.

The issues outlined above warrant the additional study that an Environmental Impact Statement would provide before beginning the local approval process for this project. We note that it does not appear that this project will require any specific review by our office under federal or state legislation, but we would be happy to discuss any items with you and/or review and comment on the results of additional investigation. You can reach our office at 651-296-5462.

Sincerely,

A handwritten signature in cursive script, appearing to read "Britta L. Bloomberg".

Britta L. Bloomberg
Deputy State Historic Preservation Officer

cc: Jack Beyers, Minneapolis Heritage Preservation Commission
John Crippen, St. Anthony Falls Heritage Board
Judd Rietkerk, Minneapolis Park and Recreation Board
John Anfinson, MNRRA
Nina Archabal, MHS, SHPO

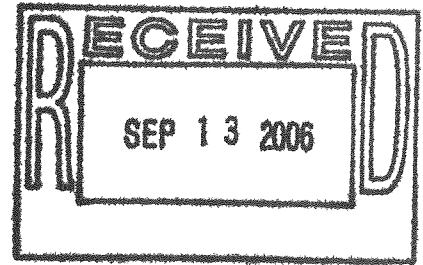


Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, MN 55155-4194 | 651-296-6300 | 800-657-3864 | 651-282-5332 TTY | www.pca.state.mn.us

4

September 11, 2006



Mr. Michael Orange
Minneapolis Community Planning and
Economic Development Department, Planning Division
City Hall Room 210
350 South 5th Street
Minneapolis, MN 55415-1385

RE: The Wave
Environmental Assessment Worksheet

Dear Mr. Orange:

The Minnesota Pollution Control Agency (MPCA) has received copies of the Environmental Assessment Worksheet (EAW) prepared for the above project, prepared by the city of Minneapolis, Responsible Governmental Unit (RGU). The MPCA has not reviewed the EAW for this project. Therefore, the MPCA has no specific comments to provide the RGU. This decision not to review the EAW does not constitute waiver by the MPCA of any pending permits required by the MPCA. Ultimately, it is the responsibility of the project proposer to secure any required permits and to comply with any requisite permit conditions. The enclosed checklist identifies permits that the project may require, together with the most recent contacts at the MPCA.

We remind the RGU that, pursuant to Minn. R. 4410.1700, subp. 5 (Environmental Quality Board Rules), a copy of the RGU's decision on this EAW needs to be sent to the MPCA.

Sincerely,

Jessica Ebertz
Project Manager
Environmental Review and Operations Section
Regional Division

JE:mbo

Enclosure

cc: Michael Buelow and Michael Moriarty, Omni Investment

☐ Federal Water Quality Certification

Waiver of the Clean Water Act Section 401 Water Quality Certification is required. When wetlands are altered or impacted by filling, drainage, excavation, or inundation as part of the federal Clean Water Act Section 404 permit process, a statement waiving the 401 Certification from our agency must be obtained.

If you have any questions regarding this, please contact Jennifer Olson, of the Regional Division, Business Systems Unit 1, at 651/297-8611. The MPCA requires the project be evaluated for mitigation in accordance with the following hierarchy of preference:

- a. Avoid the impact.
- b. Minimize the impact.
- c. Mitigate the impact through wetland replacement.

☐ Individual Septic Tank System

Individual septic tank systems design and construction must comply with Minn. R. 7080. For additional information, contact Mark Wespel (MUN, Water Policy and Coordination) at 651/296-9322.

☒ Demolition Debris

Demolition debris must be disposed of at a properly permitted disposal facility. For information on the location of one nearest you, please contact the appropriate MPCA Regional Office staff below:

- ☐ Brainerd, Curt Hoffman at 218/828-6198
- ☐ Detroit Lakes, Roger Rolf at 218/846-0774
- ☐ Duluth, Heidi Kroening at 218/723-4795 or Tim Musick at 218/723-4708
- ☐ Marshall, Brad Gillingham at 507/537-6381
- ☐ Rochester, Mark Hugeback at 507/280-5585
- ☐ Metro, Jackie Deneen (MUN) at 651/297-5847

☒ Asbestos

Asbestos may be present in the building(s) that will be demolished, which requires special handling. Please contact Jackie Deneen (MUN) at 651/297-5847 for additional information.

☒ Wells (IF present)

Abandonment and/or installation of wells must be done by a licensed well driller. Please contact the Minnesota Department of Health 651/215-0823 for additional information.

☒ Above and Below Ground Tanks (IF present/found)

The installation and/or removal of ALL above and below ground tanks must be reported to the MPCA before any work begins. Please contact the MPCA Customer Assistance Center at 651/297-2274 or 800/646-6247 for additional information.

☐ Cumulative Potential Effects

A "cumulative potential effects" inquiry under Minn. R. 4410.1700, subp. 7, requires a Responsible Governmental Unit to inquire whether a proposed project, which may not individually have the potential to cause significant environmental effects, could have a significant effect when considered along with other projects that (1) are already in existence or planned for the future; (2) are located in the surrounding area; and (3) might reasonably be expected to affect the same natural resources.

☐ Other Issues Identified by Staff

5



Minnesota Department of Natural Resources

1200 Warner Road
St. Paul, Minnesota 55106
651.772.7900

September 13, 2006

Michael Orange, Consulting Planner
City of Minneapolis
210 City Hall
350 South 5th Street
Minneapolis, Minnesota 55415

RE: The Wave Environmental Assessment Worksheet (EAW)

Dear Mr. Orange:

The Department of Natural Resources (DNR) has reviewed the EAW for The Wave residential and commercial development in the City of Minneapolis. We offer the following comments for your consideration.

Cover Types (Item No. 10) and Water Quality: Surface Water Runoff (Item No 17a)

The table in Item No. 10 indicates that the project will almost triple the amount of impervious surface in the project area. To address this increase, Omni Investment proposes to route runoff from the hard surfaces to an underground treatment system for use as landscape irrigation. We agree that this should be an improvement over current runoff conditions. The project proposer could further enhance stormwater treatment by including green roofs as part of the project design.

Water Use (Item No. 13)

The EAW states that Omni Investment will obtain a groundwater appropriation permit from the DNR if construction dewatering quantities exceed 10,000 gallons per day. Please note that an appropriation permit is also required if quantities are to exceed one million gallons per year.

Attachment 9: Consistency with Adopted Plans, Policies, Guidelines, and Regulations Applicable to the Wave Project

Attachment 9, referred to in Items Nos. 14 and 27, states that the proposal to build into the bluff is inconsistent with Policy III B-5 of the City's Mississippi River Critical Area Plan. The EAW, however, does not indicate how the City and project proposer intend to resolve this incompatibility, as required in Item No 27.

An Equal Opportunity Employer Who Values Diversity

DNR Information: 651-296-6157

1-888-646-6367

TTY: 651-296-5484

1-800-657-3929

Thank you for the opportunity to review this project and the EAW. We look forward to receiving your record of decision and responses to comments at the conclusion of environmental review. If you have any questions about these comments, please call Wayne Barstad, the Regional Environmental Assessment Ecologist, at 651-772-7940.

Sincerely,



Joseph M. Kurcinka
Regional Director

C: Steve Colvin, Wayne Barstad, Sarah Hoffmann, Bryan Lueth, Julie Ekman,
Dale Homuth, Rebecca Wooden, Daryl Ellison, Heather Tetrault, Bernice Cramblit (DNR)
Jon Larsen (EQB)
Nick Rowse (USFWS)

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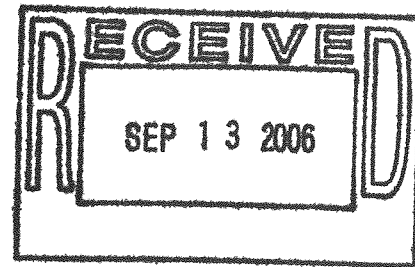


Minnesota Department of Transportation

6

Metropolitan District

Waters Edge
1500 West County Road B-2
Roseville MN 55113-3174



September 13, 2006

Michael Orange
Community Planning & Economic Development
Planning Division
350 5th Ave S, Suite 210
Minneapolis, MN 55415-1385

SUBJECT: **The Wave**
Mn/DOT Review #EAW06-021
304-420 First Street South
South End of Bridge # 2440 / TH 65 (3rd Avenue)
Minneapolis, Hennepin County
Mn/DOT Control Section 2710

Dear Mr. Orange:

Thank you for the opportunity to review the Environmental Assessment Worksheet (EAW) completed by the City of Minneapolis regarding the above named project. Mn/DOT staff has reviewed the EA and has the following comments:

Traffic:

- Consideration should be given to developing the accesses to 1st Street far enough from TH 65 as to not interfere with the operation of the intersection. Please contact Jolene Servations, of Mn/DOT's Traffic Support Section, at 651-634-2373 if you have any questions.

Right of Way:

- Part of the project goes under Bridge # 2440. As plans develop, we would like to be able to review the right-of-way easement over this area.

Traffic Noise:

- Mn/DOT's policy is to assist local governments in promoting compatibility between land use and highways. Residential uses located adjacent to highways often result in complaints about traffic noise. Traffic noise from this highway could exceed noise standards established by the Minnesota Pollution Control Agency (MPCA), the U.S. Department of Housing and Urban Development, and the U.S. Department of Transportation. Minnesota Rule 7030.0030 states that municipalities are responsible for taking all reasonable measures to prevent land use activities listed in the MPCA's Noise Area Classification (NAC) where the establishment of the land use would result in violations of established noise standards.

Mn/DOT policy regarding development adjacent to existing highways prohibits the expenditure of highway funds for noise mitigation measures in such areas. The project proposer should assess the noise situation and take the action deemed necessary to minimize the impact of any highway noise. If you have any questions regarding Mn/DOT's noise policy please contact Peter Wasko in our Design section at (651) 582-1293.

Permits:

- Any work within or impacting Mn/DOT Right of Way requires a permit. Permit forms are available from Mn/DOT's utility website at the following URL:

⇒ www.dot.state.mn.us/tecsup/utility

Please direct any questions regarding permit requirements to Buck Craig (651-582-1447) of Mn/DOT's Metro Permits Section.

If you have any questions concerning this review please contact me at (651) 634-2083.

Sincerely,



Juanita Voigt
Transportation Planner

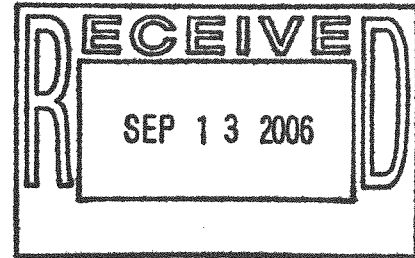
Copies to Mn/DOT Metro Division files:

Mn/DOT Division File C.S. 2710
Mn/DOT LGL File – City of Minneapolis



September 13, 2006

J. Michael Orange, Principal Planner
Minneapolis CPED, Planning Division
Room 210 City Hall
350 5th Street South
Minneapolis, MN 55415-1385



SUBJECT: *Environmental Assessment Worksheet
City of Minneapolis, The Wave Project
Metropolitan Council District 7, Review File No. 19815-1*

Dear Mr. Orange:

The Metropolitan Council has concluded its staff review of the environmental assessment worksheet (EAW) for *The Wave* project. The proposal is to build 38 luxury residential units, a 9,400 sq.ft. spa and a 9,600 sq. ft. restaurant on the site of the former Fuji-Ya restaurant and vacant/park land to the west. The site is within the nationally listed St. Anthony Falls Historic District and the EAW indicates that the proposed project will have "substantive effects on historic ruins." The property is owned by the Minneapolis Park and Recreation Board (MPRB). It is not included in the MPRB's approved Mississippi Central Riverfront Regional Park master plan, but is listed as a regional park in the Metropolitan Council's GIS database.

Staff reviewed the EAW to determine: a) *its potential for significant environmental impact and need for an EIS*; b) *the accuracy and completeness of information presented*; c) *its impact on regional systems and regional policy*, and; d) *its impact on Council property, activities and/or facilities*. **The Council finds that, as proposed, *The Wave* project will have significant impact on the Regional Park System and urges the City to order an Environmental Impact Statement (EIS) for the project.**

The following two sections offer comments on the EAW. Our concerns about the project are detailed in the section below. Following, we also offer an advisory comment regarding the accuracy and completeness of some of the transit information contained in the EAW.

REGIONAL CONCERNS

Items 25, 25E and 26: Nearby Resources; Impacts to Nearby Resources: Designated Parks, Recreation Areas and Trails; and Visual Impacts (Jan Youngquist, Community Development, 651-602-1029)

The Metropolitan Council is concerned with the proposed project's destruction of irreplaceable significant historic and archeological resources. The EAW document, attachments and archeological evaluation report clearly document that the project will destroy irreplaceable historic and archeological resources. Large capital investments have been made to develop the regional and local park systems to accentuate the area's rich local history and leave a legacy for future generations. Opportunities for preservation of artifacts on *The Wave* site are ripe, considering the property is currently under public ownership. Due to the close proximity to Mill Ruins Park as well as the Mississippi Central Riverfront Regional Park, Grand Rounds National

Scenic Byway and the historic Stone Arch Bridge, the use of this site for historic preservation and interpretation could complement the existing park system.

The EAW and archeological evaluation report detail measures that can be taken to complement, preserve and/or interpret the site's historical resources, but *The Wave* project clearly does not utilize these measures. The Council is concerned that any use or development on the site be complementary to the character of the St. Anthony Falls Historic District. If the site is developed, the Council urges that the impact and disruption (including traffic, visual impact, noise, odors, dust and access) to the adjacent regional park activities and facilities be minimal. Permanent pedestrian access to the park from the site should be provided.

The Metropolitan Council is concerned about the significant adverse visual impacts to regional park users. The Council is concerned about the significant adverse visual impacts *The Wave* project will have to regional park users and finds that, as proposed, the project is incompatible to the adjacent regional park. The river/park side of the development presents a public face to an area of regional and national significance and therefore deserves special scrutiny and attention.

The building heights proposed in the project are excessive for the area. The proposed project would require a Conditional Use Permit (CUP) to increase the height of the building from the Downtown Height Overlay District standards. The Downtown Height Overlay District limits the height of structures to 6 stories or 84 feet. To meet the requirements of *The Wave* proposal, the CUP request would be for an 80% increase over current standards.

The height information presented in the EAW understates the impact of the project on property to the north by measuring height from First Street. First Street is at a significantly higher elevation than the base elevation of the property and from adjacent land to the north. The proposed height of *The Wave* measured from First Street to the elevator penthouse is 152 feet (11 stories). Steep slopes varying from 40 to 70 percent exist on the northern and central portions of the site as the property slopes down from First Street to West River Parkway and the Mississippi River Central Riverfront Regional Park. The change in grade appears to be almost 30 feet in some locations. Therefore, *The Wave*, as proposed, would stand approximately 182 feet above the adjacent regional park. The mass of the building, placed as proposed on a small (approximately one-acre), narrow (70' – some of which is slope) site would have a significant impact on the adjacent park. The project is located immediately south of the park and would also affect its solar access.

Item 27a and Attachment 9: Compatibility with Plans and Land Use Regulation
(Denise Engen, Community Development, 651-602-1513)

The project appears to conflict with substantial portions and provisions of applicable plans and regulations. Attachment 9 provides a good summary of applicable plans, policies, guideline and regulations as well as an analysis of how the project is, or is not, consistent with these plans and regulations. The attachment acknowledges that most projects will have characteristics that are consistent with certain community goals and characteristics that may be in conflict with other goals. However, it is clear from the list provided in the EAW (p. 39) and the analysis in Attachment 9 that *The Wave* project is more often inconsistent or in conflict with the community's plans and regulations than it is in concert with them.

The project seems consistent with regards to general land use policy, but inconsistent with respect to the specifics of this proposal, such as building heights, protection of slopes, and historic resources.

The number of approvals and variances required (see Attachment 9, p. 15) is another indicator that the project is not well matched to existing plans and regulations.

The goals in the City's comprehensive plan that may be viewed as supportive of the project are more general in nature, (such as supporting providing housing choice or thriving neighborhoods), while those in conflict with the project are more specific – particularly where referencing historic and Mississippi River-related resources. The Council in general is very supportive of providing multi-family housing, especially in communities where such housing is scarce and where affordable housing is provided. Minneapolis, however, has had no shortage of multi-family housing development in recent years, particularly in this area. This particular project provides no affordable housing. The Council notes that while housing can be provided in many locations, the Mississippi River and its related historic resources are unique.

The City's comprehensive plan includes many policies and implementing instruments. State statute directs that implementing instruments of a comprehensive plan may not be in conflict with the plan and may not allow activities in conflict with metropolitan system plans. The *2030 Regional Parks Policy Plan*, Strategy 5a indicates that: "The Metropolitan Council may require plan modifications to local comprehensive plans, updates or amendments that will more likely than not have adverse and substantial impacts on the current or future intended uses of the regional parks system lands or facilities, or are likely to have adverse and substantial impacts on lands that are officially recommended for acquisition in an adopted policy plan."

If the proposed project conflicts with the City's comprehensive plan, either the project or the plan must be amended before site approvals may be issued. This is true for all re-developments in the City and is of particular concern as denser, mixed-use projects continue to be proposed in Minneapolis – especially in historic districts and/or other special areas. (Please refer also to the August 2, 2006 letter from the Council to the City of Minneapolis regarding the Pacific Block EAW.)

Item 27a and Attachment 9: Compatibility with Plans and Land Use Regulation: Mississippi River Critical Area (Victoria Dupre, Community Development, 651-602-1621)

The proposed project conflicts with the City's Critical Area plan and with Critical Area guidelines. The proposed project lies within the Mississippi River Critical Area corridor, within the *urban-diversified district*. The EAW, Appendix 9, thoroughly discusses how the project meets or is in conflict with Critical Area guidelines and policies. Council staff supports the EAW's findings on the project's relationship with the Mississippi River Critical Area guidelines (Executive Order 79-19) and the City's Critical Area Plan. Council staff recommends that the RGU address how the proposed project will be altered to meet the Critical Area guidelines and policies, including the Mississippi National River and Recreation Area (MNRRA) policies. Concerns include:

- *The current proposal will result in the destruction of significant historic and archeological resources.* This is inconsistent with Critical Area guidelines and policies, specifically sections A.1.c. and B.2.b. and Policy III.A-3 of the City's 2006 Critical Area Plan.
- *The project is not consistent with Critical Area policy regarding visual quality and visual impact.* Policy III.B-1 of the City's 2006 Critical Area Plan states that walls of tall buildings along the river corridor should be avoided.
- *The project is not consistent with Critical Area policy regarding bluff protection.* The project proposes building into a bluff. The City's Critical Area plan says in policy III.C-3, (as state statute

requires), that "slopes steeper than 18 percent or bluffs should be protected in their natural state. Land disturbance along the bluff face should be prohibited."

ADVISORY COMMENTS

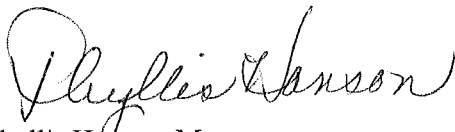
Item 21 – Traffic (Steve Mahowald, MetroTransit, 612-349-7775)

This section needs revising. There is more detail than necessary in this section and some of it is incorrect. Council staff advises eliminating the second and third sentences of the second paragraph on page 18, as indicated below.

Transit and bicycling: There are no immediate transit stops at this specific location, but there are many within three blocks or less of the site. ~~There is a bus stop on 2nd Avenue that serves the Central Business District, and the Gateway Transit Center is located 2 blocks to the south on Washington Avenue between 4th and 5th Avenues. The Center serves 13 routes that provide service to the entire Twin Cities area.~~ The closest LRT station is 5 ½ blocks to the south. Also, the City maintains several bike paths on surrounding and nearby streets.

In summary, *The Wave* project as proposed raises significant regional concerns particularly regarding the impact of the project on the regional park system and the Mississippi River Critical Area. We urge the City to recommend that an EIS be ordered for the project. If you have any questions or need further information with respect to these matters, please contact the technical reviewer indicated in a particular section, or Denise Pedersen Engen, Principal Reviewer, at (651) 602-1513.

Sincerely,



Phyllis Hanson, Manager
Local Planning Assistance

cc: Jack Jackson, MultiFamily Market Analyst, MHFA
Tod Sherman, Development Reviews Coordinator, MnDOT - Metro Division
Annette Meeks, Metropolitan Council District 7
Keith Buttleman, Environmental Services
Denise Pedersen Engen, Sector Representative/Principal Reviewer
Cheryl Olsen, Reviews Coordinator

Orange, Michael

From: christie@hutchtel.net
Sent: Wednesday, September 06, 2006 9:23 AM
To: Orange, Michael
Subject: DMNA - Heritage Developoment

Good Morning Michael:

I am writing to you on behalf of the Downtown Minneapolis Neighborhood Association with regards to the redevelopment project called the Wave, which is proposed for the former Fuji Ya location in Downtown Minneapolis. As you are probably aware, the project proposed for this site has become quite controversial among adjacent and area residents.

The DMNA plans to hold a public meeting on Wednesday, September 27, at Open Book to hear a presentation from Heritage Development, now Omni Investment, and listen to comments and feedback from the public. I would encourage you to attend, and other city staff who might be involved in reviewing this project as it moves forward through the development process.

I learned yesterday that Heritage Development included a letter of support in the EAW packet from the DMNA. This letter was written last July, prior to the many changes that have been made to the original plan (changes which have caused nearby residents to become extremely upset by the project). The DMNA board believes including the letter in the EAW information was misleading. A new letter will be prepared after the DMNA hears from Heritage Development on September 27 detailing the project and noting the changes which have occurred since it was originally presented last summer. I have spoken with Michael Buelow from Heritage Development and asked that he not include the old letters with the applications they plan to make to HPC and Planning Commission next month (October).

Please let me know if you have any questions.

Sincerely,

Christie Rock
DMNA Coordinator



Preservation Alliance of Minnesota

"... to preserve, protect and promote Minnesota's historic resources"

September 13, 2006

Celebrating
25 years
of historic preservation
in Minnesota

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Bonnie C. McDonald

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Jack Bowman, Ph.D. –
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Amy Douma –
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Saint Paul
David Kelliher –
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Michael Logan –
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Charles W. Nelson –
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St. Paul
Claire Stokes –
Saint Paul
Patricia A. Trocki –
Saint Paul
Lyssa T. Washington –
Minneapolis
Mary L. Wingerd, Ph.D. –
Saint Paul

**MN Advisors to the
National Trust for
Historic Preservation**
Roger Brooks, Ph.D. –
Saint Paul
Carolyn Sundquist –
Duluth

Advisors
Nina M. Archabal –
Director, Minnesota
Historical Society
Britta L. Bloomberg –
Deputy State Historical
Preservation Officer

Honorary Director
Richard T. Murphy, Sr. –
Saint Paul

Volunteer Coordinator
Marvel Anderson—
Rush City

Michael Orange
CPED Planning Division
210 City Hall
350 S. 5th St.
Minneapolis, MN 55415-1385

[Sent by FAX;
hard copy to follow]

Dear Mr. Orange:

On behalf of the Preservation Alliance of Minnesota, I am writing to comment on the Environmental Assessment Worksheet (EAW) for the Wave development. The Alliance is Minnesota's only statewide, membership-based nonprofit preservation organization in Minnesota, and it is our mission to preserve, protect and promote Minnesota's historic resources.

The proposed site for the Wave development, in the heart of the St. Anthony Falls Historic District, contains significant historic resources, including foundations and equipment associated with three nineteenth century mills, and a rail car scale. According to The 106 Group's archaeological report on the site, as summarized in the EAW, "At the time of excavation, the site retained sufficient integrity to convey its significance as a contributing property to the NRHP-listed St. Anthony Falls Historic District." The Wave development, as proposed, may irreparably damage and/or destroy the extant remains of this important piece of Minneapolis history. Furthermore, the EAW raises many questions about the appropriateness of the proposed development for the site.

Some issues of concern raised by the Wave EAW:

- The Wave development site occupies a significant place in the St. Anthony Falls Historic District and the Minneapolis West Bank Milling Area (WBMA).
- Although the EAW outlines proposed mitigation measures, it is unclear if the measures can or would be integrated into the development, as proposed.
- As cited in the EAW, the proposed development potentially meets only two of the Minneapolis HPC's nine guidelines for building in the WBMA.
- The project, as proposed, exceeds height limits of the Downtown Height Overlay District—designed to protect the historic character of the riverfront—by nearly 70 feet.
- The development's proposed assignment of 2.9 parking spaces/residential unit exceeds City recommendations and Code, while the development's proposed assignment of 90 parking spaces for commercial and public use has a deficit of 44 Code-required spaces.

(cont.)

219 Landmark Center, 75 West Fifth Street, Saint Paul, MN 55102
Phone (651) 293-9047 • Fax (651) 293-9047 • www.mnpreservation.org

Preservation Alliance of Minnesota
The Wave EAW Comments
September 13, 2006
Page 2 of 2

- The proposed 38 residential units distributed over the stated residential floor area of 137,175 sq. ft. creates a large average unit size of approximately 3,610 sq. ft. This fact—and the excess residential parking—raises questions about the possibility that additional units will be added, rendering the traffic and environmental impacts of the project, as described in the EAW, obsolete.

The Mississippi River Critical Area Plan states, "Minneapolis has long recognized that parks, trails, and historic interpretation are important tools for neighborhood revitalization, business development, tourism, and tax base enhancement. The City will continue to weigh the economic and fiscal benefits of parks when resolving conflicts between parks and other uses." This development guideline is particularly pertinent in consideration of the Wave development. The revitalization of the riverfront around the Mill City Museum demonstrates the numerous benefits of preserving the history of the city. To compromise access to the significant historic resources on the proposed Wave development site, to benefit private rather than public interests, would undermine the City's stated interests, and devalue the progress that has been made in developing a vibrant riverfront district, that balances new development with preservation of historic resources.

Given the potential historical and environmental impact of the Wave development, the Preservation Alliance urges the City to proceed with the completion of an EIS to further determine the impacts of this project on our historic resources and alternatives to such impacts.

Sincerely,



Bonnie McDonald
Executive Director

cc: Dennis Gimmestad, Minnesota State Historic Preservation Office

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Orange, Michael

From: Todd Karlen [tkarlen@mmrs.com]
Sent: Tuesday, August 29, 2006 2:15 PM
To: Orange, Michael
Subject: Wave Project

Mr. Orange,

I am a resident at Riverwest and was wondering how things are progressing on the Wave project. I've heard that the EAW was recently completed and understand it is on-line. Is there any way you could summarize what's happening (when the bldg will be built, how many stories, what hurdles still lie in front of them) with the Wave. It was my understanding last year, when I purchased at Riverwest, that the project was going to be 4 stories MAX!! And when they submitted formal plans, it was changed completely. Being in commercial real estate, I understand how these things happen. What I am concerned about, however, is the amount of traffic about to be poured onto 4th street, as well as other economic/logistical nightmares for people living, working, jogging, relaxing in the area. My computer won't download the EAW from the city's website, but I'm under the impression that the Wave, as proposed, will have to be scaled back. Any information would help me, if only to sleep better at night.

Thanks Michael.

Sincerely,

Todd Karlen
Madison Marquette
Leasing Associate
11100 Wayzata Blvd., Suite 601
Minnetonka, MN 55305
(952) 852-5176 - Office
(612) 730-4530 - Cell

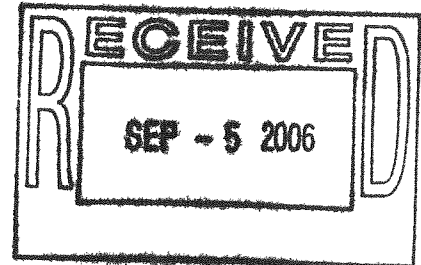
9/15/2006

(11)

Douglas L. Verdier
401 S. 1st St. #222
Minneapolis, MN 55401

Sept. 5, 2006

Michael Orange
Minneapolis Community Planning and
Economic Development Planning Division
City Hall, Room 210
350 S. 5th Street
Minneapolis, MN 55415



SUBJECT: "The Wave" Condominium Proposal

Dear Mr. Orange:

I understand the Planning Division is currently reviewing the Environmental Assessment Worksheet (EAW) for The Wave condominium proposal and will present the EAW and comments to the Zoning and Planning Committee of the City Council at a future date.

I am opposed to the project and urge you and the Planning Division to recommend strongly to the Zoning and Planning Committee that the project be disapproved.

I have read the EAW and note that the project fails to conform with numerous Secretary of the Interior Standards as well as Minneapolis Heritage Preservation Commission guidelines. In my opinion, this project is not suitable in any form for the location. I see no way such a project could be approved without violating the standards and guidelines. To grant the developers waivers of the standards and guidelines would seriously undercut the safeguards designed to guard and protect both the environment and historical value of the location.

To approve this project would be a travesty and would set a precedent for the future destruction of the few remaining areas of beauty and historical significance in the Downtown Riverfront area. It also would continue the disturbing trend of removing public green spaces along the riverfront that are key factors in drawing residents of Minneapolis to the area for recreation and relaxation.

I urge you and the Planning Division to carefully review the EAW and recommend that The Wave project not be approved.

Sincerely,

Douglas L. Verdier
Downtown Resident

Orange, Michael

From: Doug Verdier [dougvy22000@yahoo.com]
Sent: Sunday, September 10, 2006 7:20 PM
To: Orange, Michael
Subject: The Wave EAW

Douglas L. Verdier
401 S. 1st St. #222
Minneapolis, MN 55401

Sept. 11, 2006

Michael Orange
Minneapolis Community Planning and
Economic Development Planning Division
City Hall, Room 210
350 S. 5th Street
Minneapolis, MN 55415

SUBJECT: "The Wave" Condominium Environmental Assessment Worksheet (EAW)

Dear Mr. Orange:

After attending the public hearing on the EAW at Mill City Museum on September 6 and thoroughly reviewing the EAW, it is my opinion that the EAW is insufficient on several issues. A number of these issues have already been cited during the public hearing, so I will limit this letter to paragraph 21, Traffic.

I believe that the EAW fails to adequately describe the impact on traffic congestion in the area for the following reasons:

- The data used to describe the traffic volume was based on studies conducted in 2004 (Bridge Place Development Travel Demand Management Plan), which might have underestimated future traffic growth in the area.
- The 2006 data apparently was taken during a period when construction of The Carlyle condo restricted traffic flow and caused periodic detours to avoid the construction, thereby providing an inaccurate picture of true current traffic flow through the area.
- The data provided in the EAW showing both 2006 and forecast 2009 traffic volumes does not appear to have taken into account the following:
 - The opening of The Carlyle, scheduled for late 2006, will produce additional traffic flow and congestion from the 255 units in the structure.
 - Riverwest, which converted to condos in 2005, is not yet fully occupied and also will add to traffic flow and congestion when all 410 units are occupied.
 - Whitney Historic Residence on Portland Avenue (31 units) now under construction will add to traffic flow and congestion.
 - Cobalt condominiums at 45 University Ave. NE with 94 units will likely add to traffic crossing the Third Avenue bridge to access the downtown business area, thereby increasing congestion at the intersection of Third Avenue and First Street South.

Paragraph 21 also provides information regarding parking stalls for The Wave. The proposed 4-story

9/15/2006

parking garage in the project seems excessive for the facilities planned.

- With 38 residential units planned, the proposal indicates there will be 109 stalls provided. This is 2.8 stalls per unit. Most condos provide one stall per unit, with a limited number of units being allowed to purchase an additional stall. The number of stalls dedicated to residential use seems excessive for the number of residential units and causes me to question the need for such a massive parking structure.

Related to the parking stall issue, though not related specifically to paragraph 21 Traffic, is the issue of the proposed size of the 38 residential units. As stated in paragraph 7 of the EAW, the proposal calls for "38 maximum units per building. The total residential floor area is 137,175 sq. ft."

- The proposed residential square feet divided by the number of residential units provides 3,610 sq. ft. per unit. The size of these units, as proposed, is considerable larger than most downtown condominiums, as well as about half again as large as many single family four-bedroom houses in the suburbs. I think the developers should be challenged to justify the size of the residential area proposed.
- I also have concern about the wording used in the EAW "38 maximum units per building" (emphasis is mine). Is the residential portion of The Wave project considered to be one single building, or can the developers claim that it is multiple buildings, thereby allowing them to increase the number of units at will?

For the reasons cited above, I believe the EAW to be insufficient to gauge the impact of The Wave on the environment of the area concerned and strongly recommend that further analysis be done.

Sincerely,

Douglas L. Verdier
Downtown Resident

Want to be your own boss? Learn how on [Yahoo! Small Business](#).

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Dear Mr. Orange,

I write to comment on the EAW for the Wave ("Project"). I am out of town due to a fall of my 92 year old father, and regret I cannot attend the meeting tonight. Hopefully you might pass this letter to other interested parties.

I have to acknowledge up-front that I am a buyer at the Carlyle, so I have a somewhat selfish interest in whether the Project goes forward. However, as our home is located above the proposed height of the Wave, and has prominent downtown views, it is less impacted by the issue of obstructed view. I am 62 years old, have lived most of my life in Minneapolis, have worked downtown all my life, have been an elected official (district judge) deeply interested in the community (which accounts for us coming back downtown now that our children are raised), and I like to think the following remarks are prominently motivated by my long and deep interest in our City.

Obviously the issues surrounding new construction development in the St. Anthony Historical District implicates priceless considerations associated with the few blocks of river valley being the home to our City's origins and more than 100 years of its history. It is not an overstatement to say that there is historical sacredness belonging to our citizens, their children and future generations in respect to this property. Of course, it can be argued that there has been much development atop the banks of the Mississippi, and indeed our City's downtown has been built atop these banks. But this site is not atop the banks of the river, but largely beneath and into the banks—into a bluff on the Mississippi in the heart of where Minneapolis began and where countless citizens and visitors come to bike, walk, drive the River Road, traverse the Stone Arch Bridge, explore the history of mills, exposed artifacts and historical structures, etc. It is noteworthy that the developments on the grade of the river in the District are largely rehabilitations of buildings from the past—where preservation of time and place has been accomplished.

If one takes a ride through this history by traversing the main road facilitating the journey—the River Road, they will note that there are no new construction developments beneath any bank or bluff of the River. Now we have a proposal to destroy this river bluff green space and openness, to destroy the underground artifacts existing there, to cast a permanent shade over the River Road, bike path and park area into the District and to despoil this section of the River Road with a huge parking garage virtually on top of the curb line. It is little wonder that the EAW and Archeological Investigation finds that the Project fails to meet most of the various standards and criteria designed to protect the historical significance of the area. Hopefully decision-makers will drive, bike or walk this area and imagine the impact on Minneapolis citizens and visitors from this massive structure shading and overwhelming a significant section of the River Road and park path area within this Historical District.

These departures are not without meaning. As the EAW states on p. 39, "The aspects of the Project that involve the destruction and removal of archeological and historical resources are clearly inconsistent with the heritage preservation policies. . . " associated with essentially all of the historic guidance work, namely 1. The Minneapolis Plan and the Minneapolis Downtown 2010" chapter of the Minneapolis Plan, 2. the Historic Mills District Master Plan, 3. the

Mississippi National River and Recreation Area and Mississippi River Critical Area Corridor Plan, 4. Mississippi River Critical Area Plan and 5. the St Anthony Falls Historic District Guidelines.

The various criteria which have been formulated to protect the public's ability to feel the City's beginnings as they are "on the water" where the powering river permitted Minneapolis and its milling to thrive, all have many common features—involve features about which professional work was devoted to historical preservation for us, our children, our grandchildren and posterity. The common features set out in the Secretary of Interior and the Historical Preservation Commission are essentially characterized as:

1. Preservation of historical time and place by minimal change to site and environment
2. Ensembles of buildings which convey the historical time and place
3. Compatibility with historical time and place through compatibility in scale and massing
4. Compatibility with historical time and place through compatibility in other physical characteristics

As the EAW states, there are "clear" inconsistencies between the proposed Project and these concerns that Cities and particularly Park Boards seemingly are expected to address and protect. (Again, the Park Board was mindful of these concerns in its RFP, which seemingly has been ignored in a wholesale way by the purchaser's successor and their dramatically different proposal compared to that provided to the Board and the public at the time surrounding the purchase agreement. And the EAW notes that curing of the many problems not only involves the redesign of windows, door openings, building materials, and the like, but also a reshaping of the mass of the building to resemble the massing of historic buildings on the site, and to de-emphasize the building presence in terms of scale. Obviously the initial proposal before the Park Board came much closer to accomplishing these sizing problems than the twice-as-large proposal now being advanced.)

Time and again the Archeological Investigation finds failures in the standards related to minimal change in the site and environment. This is largely because, as would be expected of any site right on the water, there exists fully intact underground remains of historical building, with distinct rooms, structures and other attributes capable of answering yet unanswered questions about our City's origins—remains which would be destroyed by the development. The Investigation states:

"... the Project would entail the removal of several historic mill foundations on the site, resulting in significant change to the character defining features of the immediate site. . . . Other uses for the site may better incorporate and preserve the historic characteristics of the property.

“... the Project not only removes historic material, but also introduces a non-historic element that alters the spatial character of the site.”

“The proposed plan would not meet this standard.”

The Archeological Investigation also notes that many of the historical buildings in the District have already been lost, and expresses the concern that this loss makes the preservation of original mill structure remains all the more important:

“The loss of the aboveground portions of the mill building occurred both within the district’s period of significance and post-dating the period of significance. While the loss of the original mill structures represent a loss to the historic district, their remaining foundations and ruins continue to be contributing features, and therefore have significance.”

“The removal of the historically significant mill foundations would not meet this standard.”

As to the Fuji Ya building, the alteration involved in the Project was also found troubling:

“Although the Fuji Ya building is not a contributing property to the historical district, it may be considered as a significant property that has acquired historical significance in its own right, its removal or significant alteration would not meet this standard.”

The EAW picks up on these concerns, even comparing them to the archeological impact of other projects in the area (the Whitney redevelopment and the Phoenix Lofts). Importantly, the EAW notes that the destruction here is qualitatively greater, as the impact from the Whitney and the Phoenix involve “destruction or removal of relatively limited historic resources,” while here

“In contrast, the Project, as proposed, would have significant adverse impact on the substantial and numerous historical and archeological resources on the Project site as well as the historic district, while continuing to preserve only the more limited historic foundation of the Fuji Ya building ...”

As to size, scale and massing, the Project was found to not meet the various standards. Again, little discussion needs to elaborate on the obvious. It is intuitive to all that a nearly block long two to three story parking garage literally right at the curbing of a significant portion of the River Road which allows traffic through the District, and a 13 to 14 story building (from River grade) right on and continually shading and tunneling the River Road, bike and walk paths and related park lands to the water, is hardly compatible with the historic feel or nature of the site. The EAW and Archeological Investigation reports:

“The proposed project would introduce an increase in size and scale of buildings

in the WBMA, both in footprint and height.”

“The proposed project does not appear to be compatible with the massing of the surrounding historic buildings.”

“At 11 stories, the Wave would be four stories taller than the Crown Roller Mill, the nearest standing mill building to the site.”

While the Investigation notes that the project height would not be the tallest in the District, it does note that the tallest is a historical building, namely the relatively non-massive head house for the Washburn A Mill. But the Investigation clearly condemns the size or scale of the project in that the combination of its height, mass and long horizontal orientation is so incompatible. The Investigation notes a guideline that identifies as “not recommended” the introduction of “a new building or site feature that is out of scale or otherwise inappropriate . . . and introducing new construction onto the building site that is visually incompatible in terms of size, scale, design, materials, color and texture or which destroys historic relationships on the site.” The Investigation itemizes many failures in regard to these guidelines. The Investigation states that the Project:

“does not respond to the district or site as compatible in-fill in terms of scale, design, materials, color or texture.”

Of the ten Secretary of Interior Standards, only one standard is met, one could be met with a mitigation plan, and “the remaining standards (1,2,3,5,9 and 10) would be substantially unmet. . .” The Investigation concludes:

“By and large, the project, as proposed, is not a building that was designed to be sited within the St Anthony Falls Historical District and would not be considered a compatible building within that district.”

When the Investigation leaves the Secretary of Interior Standards and focuses on the Minneapolis Historical Preservation guidelines, the Project does no better—for similar reasons. First, the Investigation discusses the axial orientation, noting that the historic buildings were tightly packed “cheek-by-jowl” oriented structures facing the power canal or river, while the Wave is designed as a massive horizontally oriented structure “extending almost the entire block between Fourth Avenue South and Third Avenue South.” Not only does the investigation merely find that is guideline is not met, it states:

“The proposed project reverses the axial orientation of other historic buildings. . . “

As to height, the HPC guidelines also present problems in that the three levels of parking at river grade add to the height such that the Project would be out of scale with the higher buildings in the district—even those buildings which are historical (the Washburn Mill headhouse). As noted, the Wave would be several stories taller than any existing mill (the historical use of the site), and some six stories taller when measured from the river grade. As can be seen, the original proposal before the Park Board surrounding the purchase agreement, with

non-obtrusive heights less than half the current proposal, would have been much more compatible from a “massing” point of view, albeit the destruction of ruins and the horizontal orientation, the tunneling of a large segment of River Road and park paths, etc would still be a problem.

Another interesting issue has to do with the HPC guideline that there be no major projections on the façade of any new building. Obviously new construction with projecting balconies is way out of historical character, as the Investigation found:

“Conceptual drawings illustrate balcony levels extending from the riverside façade. . . . The proposed project does not meet this guideline.”

And again, the massive horizontal orientation of the proposed project (a mass of concrete and glass running almost an entire block from 3rd to 4th occupying the entire present green space of this park area, gets failing grades. The “directional emphasis” was found inconsistent with the HPC guideline which urges new construction with vertical definition and separateness as was the look and feel of mill structures along the river. While the rehabilitations of existing structures into residences and the new Guthrie seem to meet the vertical grouping orientations, the Wave (from the river elevation) plainly does not:

“The proposed project, particularly the riverside elevation, does not meet this guideline.”

Other concerns are evidenced in the EAW. The vibration damage to adjacent structures has not been determined. The length of time that a project of this magnitude would cause ever increasing living populations the discomfort of noise, dirt and dust is an issue. The shading and winter ice conditions on River Road and walk paths from a building of this height is a consideration. Importantly, this building, along with the existing post office, eliminates many opportunities for residents and visitors from neighboring hotels and homes to have a park like access to the riverfront.

Also, the project will tunnel First Street, and result in considerable damage to the quality of light, property values and views in the historic Mill River office building. And finally, the statutory requirement that the land be sold at “market value” is plainly violated by a sale if the surrounding assumptions respecting market value involve developer avoidance of all the historic guidelines and District height restrictions. And finally, the important need for parking which was an issue in the Park Board’s RFP is taken backwards, as the EAW notes a net deficit of 44 stalls associated with the Project.

As the EAW notes, and as referenced above, the mitigate the above “clear” and “significant adverse” impacts on historical resources and the District, more than modest changes are required. Rather, the entire design, scale and sizing of the Project is involved, as would be expected given the huge change in scale and sizing the successor to the original purchaser has proposed for this site. In light of the EAW and other considerations, it is hard to imagine that this Project could be allowed to proceed if any respect is to afforded the various guidelines associated with the District and the findings of the Archeological Investigation.

Moving from the above City-wide and historical concerns, permit me a selfish comment shared by the many who have and are investing in the revitalization of this part of our City though owner occupied homes (which revival has been largely dormant for almost three decades). While admittedly views and vistas of neighboring property owners are not the key issue in whether developments should go forward, there are important related considerations which government decision-makers hopefully might appreciate.

First, the City owns property which may be subject to sale and development to the south of this proposed Project (the parking area south of the Mill City office building), and this property of course would be considerably less valuable with a view-obstructing building as large as that proposed, and the want of any convenient access point to the river from the bridge.

And the built, being-built and to be built homes in this area carry high valuations in significant part because of their views of our historic river environs. (The fact that comparable home pricings can vary by 10 to 15% every five floors or so is a testament to the relationship between value and view.) In this riverfront area, the values are particularly associated with view. The nature of the St. Anthony Falls Historic District, the historical power generating falls, the existing mills and mill ruins, the Stone Arch Bridge, and the like at this particular few-block location where our City began and where its genesis was powered by the river, account for significant prices paid by purchasers for homes with related closeness and views, and of course account for the related tax roll valuations.

These "view" factors, albeit not determinative, should be entitled to some consideration. The reasonable expectations of the homeowner citizens committing to the revitalization associated with riverfront living will be, of course, most disrupted by a Project which is more than twice as obtrusive and value-damaging than that publicly announced a year ago when buying decisions were being made. This is particularly true when these expectations were also associated with existing height limitations and other standards promulgated to protect the historical nature of this area—limitations and standards which citizens understandably assume government decision-makers will not relax except on a showing of substantial reason and public interest.¹ As noted above, the EAW and the Archeological Investigation identifies a robust number of inconsistencies between these limitations/standards and this project—not the least of which is the mass and scale of the structure which is now proposed to be more than twice the size of the proposal which was on the table when the Park Board entered into the purchase agreement.²

¹ Not only are the property values and other expectations of residents and home buyers disrupted, responsible developers who have risked capital to build are placed in the difficult position respecting the expectation of their buyers, the marketing of their developments, and the like, when a proposal changes so drastically from that publicly announced.

² Indeed, the current proposal is at odds with most of the "evaluation criteria" of the Park Board's RFP, which among other things called out "adherence to approved land use plans and conformance with historic and cultural aspects of the Central Riverfront," and which identified as "constraining factors" the limitation of parking (the new proposal—rather than the desired addition of parking—has a 44 stall deficit), and the "historic ruins under the existing buildings" which the Archeological Investigation says the new proposal will largely destroy. This is to say nothing about the state law requiring the purchase of this land to be at "market value," a criteria which is hardly met if the value is to be measured assuming a development which is more than twice as large as

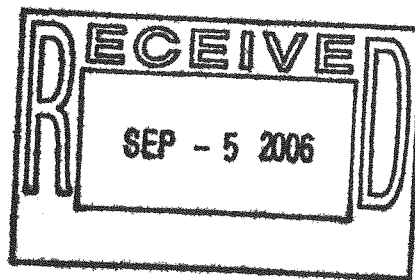
Thank-you for considering the views expressed here and passing them on to others in the planning process. In the end, it is urged that this project not be allowed to continue as now conceptualized, that further new construction development on this revered site be only compatible in both artifact-preservation and in mass and scale with existing historic guidelines and with the originally publicly announced proposal before the Park Board when it considered compliance with its RFP, and that other uses of the property be considered—such as access of residents and visitors to this immensely historically important couple blocks of riverfront.

It is hard to imagine that development of this extremely valuable land cannot be made to satisfy the various concerns of our City, the protection of its history, and the reasonable expectations of its citizens. There are undoubtedly developments or developers which will be true to the criteria of the Park Board's RFP, to historic concerns and to public access and interest—without any sacrifice of what appears to be a very sub-market price if such issues can be ignored.

Rick Solum

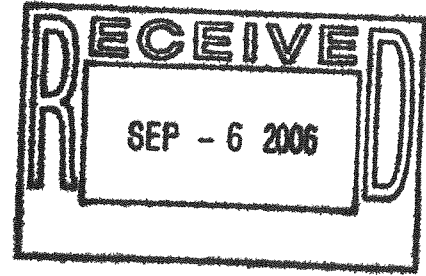
solum.rick@dorsey.com

612-205-5913



originally proposed and which is immune from all the criteria which the EAW and the Archeological Investigation show are not being met. (Would anyone suggest that a fully contingent and low-down payment purchase agreement with a total price of \$2.5 million would be "market" if the Park Board's assumption was that these standards and its own RFP criteria would be abandoned and not met by a building more than twice the size originally contemplated? How about a 50 story building?)

(13)



September 4, 2006

Michael Orange
Consulting Planner
City of Minneapolis
210 City Hall
350 South 5th Street
Minneapolis, MN 55415

RE The Wave project by Omni Investment

Dear Mr. Orange:

This letter is to voice our concerns regarding the proposed 38-unit residential and commercial project known as the Wave by the Omni Investment Group. As property owners of a unit in the nearby condominium across the street from the proposed project, we have serious concerns about this proposal. This project is proposed to be partially built on public land owned by the Minneapolis Park and Recreation Board. When we decided to invest in one of the units of our condominium complex this year, we were pleased to know that the property across from the condominium complex was publicly owned by the Park Board. We assumed that such land would eventually be part of the open space corridor adjacent to the river.

We strongly believe that it would be a grave mistake to give up such a precious piece of public park land to private development and would be poor public policy that would set a bad precedent for the city. This will not serve the public benefit and welfare of the current and future residents of this city. This Park and Recreation Board parcel (one acre in size) will significantly complement the existing open space near the river. Moreover, it directly borders St. Anthony Falls, one of the most famous and historic natural features in Minnesota, and provides for the best single vista of the Falls. As neighboring property owners, we will be adversely impacted by this project. We feel that the following adverse impacts must be addressed prior to any permitting of this project:

View of the river from 1st street South: the proposed project will totally wall off the view currently available from the street and enjoyed by pedestrians and drivers visiting the area. It also obscures views of many of the units in our condominium complex. One of the great assets of a city are the vistas and view points that provide visual access to the natural, cultural and historical landmarks of a city. The proposed development with an 11-story, 152-foot-tall building at its highest point will grossly impact existing views. This is a very significant adverse impact which must not be ignored.

Public vs. Private Benefits: Converting public land intended for public use into a private use development will not be to the best interest of tax payers and residents. Removal of this parcel from the public open space corridor of the Mississippi River violates the intent and vision of Horace W. Cleveland's Park and Open Space Plan approved by the Park

Board in 1883 and all subsequent open space planning and policy of the city. This loss will be a significant adverse impact to public parks and open space resources.

Historic Resources: The proposal is to be built on the ruins of the Columbia Flour Mill, Occidental Feed Mill, and Basset Sawmill. These are the closest former mill sites to St. Anthony Falls itself, and are therefore perhaps more significant than the preserved mill sites downstream. Their loss would be a significant adverse impact to scarce historic and cultural resources of the city. Preservation of such historic resources will have far more benefit to the existing and future population than a few luxury residential units for the exclusive benefits of a few.

This parcel is far better suited for a park with walkways and interpretive signage to present the history St. Anthony Falls, which presently is not well interpreted in the area except for one sign on the Stone Arch Bridge at a considerably greater distance from the Falls than this site. And, after all, the site is within the St. Anthony Falls Historic District listed on the National Register of Historic Places, and is the closest site to the Falls within the district on the south bank of the river.

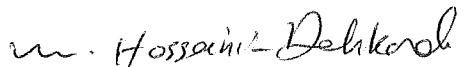
Traffic: The 38- unit residential unit with 9,400 square ft. spa and a 9,600 sq. ft restaurant will substantially increase the traffic on 1st Street and the nearby intersections. With two entrances onto 1st Street from such a heavy traffic generating use as proposed, getting in and out of our residential complex parking area will be challenging and potentially unsafe. Pedestrian access to the existing mill ruins area and Stone Arch Bridge will also be significantly impacted. Sight distances for pedestrians crossing 1st Street South and West River Parkway to reach the mill ruins area are already poor, given the speed of traffic on these streets, and with higher traffic volumes will be particularly hazardous. It is noteworthy that no pedestrian facility such as an overpass has been included as part of the proposal. The proposed development will have a significant adverse impact on pedestrian and vehicular movement and their safety in the area.

We strongly recommend that an Environmental Impact Statement (EIS) be prepared to fully evaluate the many potential adverse impacts of this development. An alternative to develop this parcel and its public land to a park and Falls Interpretive Center must be seriously considered and compared with other alternatives, and only an EIS can provide a vehicle for doing this. We would like to be notified of the future hearings and notices regarding this project.

Sincerely,



Dr. Rahim Hosseini
XXX 1st Street South, #1107
Minneapolis, MN



Dr. Maryam Hosseini
xxx 1st Street South # 1107
Minneapolis, MN

Cc: Frank Rhame
Sarah Renner

(14)

Orange, Michael

From: Frank Rhame [frank@muskie.biostat.umn.edu]
Sent: Sunday, September 10, 2006 5:17 PM
To: Orange, Michael
Subject: The Wave

Michael---This is to add a note to the chorus you've receive objecting to The Wave.

I think you've heard most of the points but two that deserve emphasis are

- We have before us the extraordinary discordance between (1) the praise Mcguire is getting for taking a rather non significant patch next to the Guthrie and turning it into a park (a piece of land that is well suited for residential development: flat, back from the bluffs, archeologically insignificant) and (2) the Park Board selling a great piece of park land for development (it IS the bluff, it's our archeological Plymouth Rock and would be totally excavated and discarded, it would put condos closer to the river than any others in the city --11 stories at that). This in a city that is filling up it's downtown land for residential units (a good thing) with little added green space (a bad thing). It's hard to imagine where money for parks could be better spent in our city.
- I think a second 'bait and switch' looms. Do you really think they will build 10 4600 sq foot condos? Why do you think they are putting in 199 parking spaces? You'll see 2-3 times as many units built unless they can bind themselves or you can bind them to the proposal. To the extent my paranoia is justified, the EAW's projections about traffic volumes, etc are devoid of value.

Thank you for considering these thoughts.

Frank

Frank Rhame

MOBILE: 612-325-9520

PHONE / FAX / VOICEMAIL & ADDRESSES:

The Doctors (Mon evening, Tues & Wed PM, Fri)

612-824-1772 / 612-775-5444 / 612-775-5439

1221 W Lake St, Ste 201, Minneapolis, MN 55408-2046

Clinic 42 (Mon & Thurs)

612-863-1939 / 612-863-5467 / 612-863-6618

Abbott Northwestern Hospital, Mail code 17200

2545 Chicago Ave S, Minneapolis, MN 55404-4522

Home

612-321-9399 / 612-321-9399 if I'm home / 612-321-9399

401 S 1st St, Apt 702, Minneapolis, MN 55401-2565

WEB: <http://www.biostat.umn.edu/~frank>

OVERSEAS EMAIL: frankrhame@gmail.com

Orange, Michael

From: Marc Curie [mcurie@cce.umn.edu]
Sent: Monday, September 11, 2006 8:54 AM
To: Orange, Michael
Subject: The Wave EAW

Hi Michael,

I am following up to the 9/6 meeting regarding the proposal by Omni Development to build on the former Fuji-ya site and the Environmental Assessment Worksheet.

As I stated for the record at the meeting, (and also at the Mpls Park Board 2/15 meeting) I am strongly opposed to this development for a variety of reasons: abandonment and demolition of a valuable historical site, the removal of 20-30 trees resulting in a dearth of green space, too high and dense a project for the parcel, the deleterious effect of a big increase in traffic next to the river, etc. The EAW does not address these issues directly, and in fact, states that The Wave development does not belong on this site!

The proposal was sold as 15 two-story townhomes with green roofs and the Mpls Park Board accepted the deal on that basis. The original developers sold their interests to Heritage Development, wherein the project ballooned to 38 condos in a building 6-11 stories high, and Heritage sold their option to Omni Development. Jeff Arundel has been a principal in all three iterations of the development.

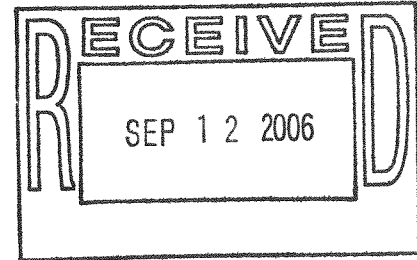
The Mpls Park Board should declare the deal null and void based on the underestimate of economic value of the parcel and then go forward with preserving the site as historical ruins. That should include the demolition of the 1960s portion of the Fuji-ya restaurant building which has no historical value and in fact, is an eyesore that sits atop a mill ruins which should be rehabilitated and opened to the public as part of a new project.

Sincerely,
Marc Curie
401 South First Street #607
Minneapolis, MN 55401

(16)

Christine A. Pederson
401 S. First Street, #308
Minneapolis, MN 55401

September 8, 2006



Mr. Michael Orange
Mpls. Planning & Economic Development
Planning Division
City Hall, Room 210
350 S. 5th Street
Minneapolis, MN 55415

Dear Mr. Orange:

I'm writing to you in regards to the planned Wave Development on First Street as an interested party living in close proximity to this site. I attended the meeting last Wednesday and found it very informative as I had not originally been opposed to the project as it was initially configured. However, as I learned more I would like to state my opposition to the proposed development.

My change of position is learning more about the historical significance of the site, its close proximity to the river, and that it doesn't seem to meet many of the city's own criteria for development in this area. While it would be great to see the Fuji Ya building redeveloped as it is an eyesore today, I would hate to see the green space and archeological site next to it destroyed for a few more housing units that are not really needed in the area. There seems to be sufficient housing already planned or in development in this area.

The traffic studies completed seem to miss the large increase in traffic (car & pedestrian) that will occur as many of these new projects are completed. Today, the Whitney, Carlyle, and the MacPhail Music school are not completed and contributing to traffic flows. There are also several others projects within close proximity that will ultimately affect traffic/density in the area. I suspect many of these new residents will want to use the parks on the river front so taking away park space seems short sighted. Based on what has been approved this could result in well over 1,000 new resident in this area.

As I newer resident to Minneapolis, having moved here from Chicago last year, I truly enjoy the green spaces of the city with the parks being one of this city's greatest treasures. It is so nice to have a downtown that is very livable as not overdeveloped and too dense as Chicago has become lately. My friends that visit think the city is absolutely beautiful. I would like to see it stay that way.

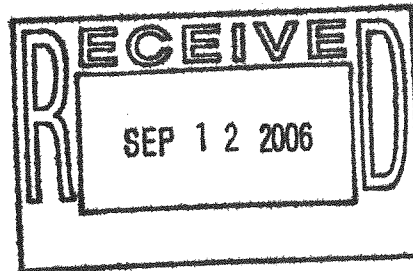
Sincerely,

A handwritten signature in cursive script that reads 'Christine Pederson'.

(17)

Marylee Hardenbergh
Artistic Director, Solstice River & One River Mississippi
2230 Marshall Street NE
Minneapolis, Minnesota 55418

Michael Orange
Consulting Planner
Minneapolis CPED
210 City Hall
350 South 5th Street
Minneapolis, MN 55415



RE: Proposed "Wave" Project

Dear Mr. Orange:

I am the founder and artistic director of *Solstice River*, the event that takes place annually on the Stone Arch Bridge, and about which Pat Miles said, "New York has nothing on Minneapolis!"

I am writing to say that we need to keep the green trees on the riverfront, and I oppose new construction which brings happiness to a few, but takes away the beautiful scenery for the thousands of public citizens that enjoy the Mississippi River here in Minneapolis as a part of our city.

Thank you for your consideration in this matter..

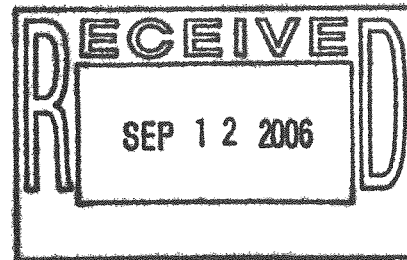
Sincerely,

Marylee Hardenbergh
Artist-in-Residence
The Center for Global Environmental Education
Hamline University

401 South First Street, #1115
Minneapolis, MN 55401

September 10, 2006

Michael Orange
Minneapolis Community Planning and Economic Development Dept – Planning Division
City Hall, Room 210
350 South Fifth Street
Minneapolis, MN 55415-1385



In regards to: Opposing the “Wave” condo development (1st Street and 3rd Avenue)

Dear Mr. Orange,

I am from Minnesota and have lived in Minneapolis 14 years. I’m very concerned with the development of our riverfronts because they have been a key source of my lifestyle for a long time. So far I am very proud of how our city has designed our riverfronts, honoring and beautifying our cherished historic sites. I oppose “The Wave”.

I’ve looked through the EAW and attended the meeting at Mill City on 9/6/06. I have the following comments:

- The number of planned parking spaces far out-weighs the number of planned residential units. This opens the concern that the developer will later decide to increase the number of units inside the building. Given the large size of the proposed residential units, it would be possible to increase the number of units and residents while keeping the outline of the building and parking spaces the same. This developer already has a history of ever-increasing the size of this development proposal. If the number of residential units changes, this EAW, and the entire city approval process should be null and void, and the developer should be forced to start over, because of the impacts on water, sewer, traffic, etc. that have been addressed in this EAW based on only 38 residential units.
- The traffic survey does not account for fully occupied Carlisle and Riverwest.
- The letters from the Downtown Minneapolis Neighborhood Association (DMNA) should be removed. They are dated when the proposed development was much, much smaller. A representative of the DMNA spoke at the meeting stating that support for this project was indeed never granted by the DMNA, and the inclusion of the letters is not appropriate.
- Building height should be stated from the river, not from 1st Street, because the key concern in this process is the development of valuable riverfront and the historic ruins, which starts at river level. As such, another 30 feet should be added to the quoted height.

- Please add emphasis to the impacts on destruction of historic ruins. That whole area is founded on those ruins. The adjacent park is named after and exists to celebrate those ruins. To remove them would be devastating to the area.
- Valuable and historic property should not be used for 199 parking spaces.
- Please add emphasis to the impacts on public accessibility. That area is a pride of our city, and is for recreation and public use.
- The pictures in the EAW are misleading. The development is depicted smaller than reality. The pictures show trees that do not and could not exist. West views and views from River Road should be offered. From River Road it would appear as a 14 story building immediately towering over, which is very obtrusive and entirely unwelcoming.

Thank you for your time. Keep up the good work!

Respectfully yours,



Katherine A. Pohlen

(19)

Orange, Michael

From: Shellfdx@aol.com
Sent: Tuesday, September 12, 2006 5:44 PM
To: Orange, Michael
Cc: Shellfdx@aol.com
Subject: The Wave vs. Smart Density

Mr. Orange,

I am a resident at Riverwest Condos. I am writing to oppose the new project The Wave. It is upsetting that the proposal has changed so drastically since first proposed.

Also, I understand it will be built on historic ruins and possibly too close to the river.

I know many think we are objecting because of view obstruction, but that couldn't further from the truth, especially in my case. I live on the 18th floor on the city side.

We all agree that density downtown is a good thing and will bring many ammenities, but we hope it will be "Smart Density".

**Shelly Dewberry
#1818**

Orange, Michael

From: Renner, Michael [VPE-IGN] [michael.renner@medtronic.com]
Sent: Wednesday, September 13, 2006 12:14 PM
To: Orange, Michael
Subject: EAW for The Wave

Hi Michael:

I wanted to briefly comment on a few areas of concern regarding the EAW's assessment of The Wave Project Proposal.

1) I don't believe a complete evaluation of traffic density was documented because no specific evaluation was done on the effect of two access points from the site to W. River Road. 1st street was considered but I do wonder what the effect of Carlyle traffic on 1st street going south will for those residents wanting to avoid the congestion of going south on 2nd street or Washington Ave?

2) I do not understand classifying the site as landscape and not wooded. There are mature trees covering most of the site, whose removal will have a visual impact on the sight lines from many views on both sides of the river. Should there be greater review/consideration in the assessment if it were classified wooded?

Lastly, I do not understand how significant Mill Ruins can be essentially destroyed in an area of the city defining itself as a Mill District.

Thanks.

Michael Renner
401 S. First St #722
Mpls 55401
612-202-6499

Orange, Michael

From: Sarah Renner [rennerski@earthlink.net]
Sent: Wednesday, September 13, 2006 3:16 PM
To: Orange, Michael
Subject: Proposed "Wave" EAW

Dear Mr. Orange:

In addition to my comments at the September 6th EAW hearing...

1) Could there be an EAW demonstrating more adverse effects to a chosen site than that of the proposed "Wave" development? The EAW cites inconsistencies with all five of these established local policies/plans/guidelines:

- The *Minneapolis Plan* and the "Minneapolis Downtown 2010" chapter of the *Minneapolis Plan*.
- The Historic Mills District Master Plan
- Mississippi River Critical Area Plan
- The Mississippi National River and Recreation Area and the Mississippi River Critical

Area Corridor Plan

- The St. Anthony Falls Historic District Guidelines

Why go to all the trouble of setting policy if a proposal like the "Wave" --if it were allowed--weakens its purpose?

2) On page 27 of the EAW, regarding the Fuji-ya site's historic significance, I contend that the Fuji-ya marks the turning point of the Minneapolis downtown Riverfront from industrial to recreational use. The Fuji-ya is the area's landmark to honor the pioneering vision of Reiko Weston, Fuji-ya owner, in bringing the public back to the riverfront in the modern era.

3) The "Distribution List for State-Mandated Environmental Reviews", Attachment 12 on the paper copy of the EAW, is missing from the online version of the EAW. This has value to those conducting further research.

Your inclusion of these additional comments is appreciated.

Sarah Renner
401 S. 1st Street
Minneapolis, MN 55401



One Hundred Third Avenue South Minneapolis, Minnesota 55401 www.thecarlylelife.com 612.359.8500

September 14, 2006

Mr. Michael Orange
Minneapolis Department of Community Planned and Economic Development
City of Minneapolis
Room #210, City Hall
350 South Fifth Street
Minneapolis, MN 5541501375

Re: Wave Project EAW Comment Period

Dear Mr. Orange:

I attended the EAW public comment meeting for the Wave development held on September 6, 2006 at the Mill City museum. I have also reviewed the Wave EAW report and have found the report to be somewhat satisfactory. I agree with the EAW findings that the Wave development poses significant adverse effects on archeological and historical resources (the project proposes to destroy resources) of the City of Minneapolis. The EAW findings also state that the project as proposed meets few if any standards for new construction as measured by Secretary of the Interior Standards and the Minneapolis Heritage Preservation Commission and is repeatedly inconsistent with the Minneapolis Plan including the Minneapolis Downtown 2010 chapter, The Historic Mills District Master Plan, the Mississippi River Critical Area Plan, The Mississippi National River and Recreation Area and the Mississippi River Critical Area Corridor Plan.

It appears that the EAW may need to revisit the traffic study to include neighborhood traffic generators such as the Guthrie, The Carlyle, Post Office truck traffic, etc., which appear to have been overlooked. The EAW should also properly describe the proposed development site as wooded. The EAW should be certain the amount of parking proposed is enough to satisfy the mixed use nature of the development. The EAW should also include or interview Mr. Kent Bakken who conducted an archeological dig on the site during the summer of 2006 in connection with the Minnesota Historical Society. His findings should be included or at least summarized in an updated EAW report.

The development as proposed will face significant approval future hurdles on historical, design, archeological issues as well as on numerous conflicts on its proposed land use. The fact that the current development proposal includes the destruction of the remaining ruins of Bassett's Second Sawmill, Columbia Flour Mill, the Occidental Feed Mill and the Minneapolis Eastern Railway Company ruins clearly qualifies this site as a contributing property to the historic district and should make the decision to save these resources relatively simple.

Mr. Michael Orange
September 14, 2006
Page Two

In conclusion, I would suggest that the EAW be updated and that the City Planning and Zoning Board very carefully consider their review of the EAW which directly affects these last remaining historical and archeological resources. Thank you for the opportunity to comment on this EAW document.

Sincerely,

Thomas M. Dillon
Senior Project Manager

(22)

Orange, Michael

From: Wpluther@aol.com
Sent: Wednesday, September 13, 2006 4:47 PM
To: Orange, Michael
Subject: Wave project

Dear Mr. Orange:

I am a buyer at the Carlyle as well as a long-time resident of Minnesota and the Twin Cities area. I am writing regarding the Wave project.

I am concerned with the proposed destruction of the river bluff green space. By driving, biking or walking this area, you can literally feel the impact from a massive structure overwhelming the River Road and park path area -- a nearly block long two to three story parking garage at the curb plus a 13 to 14 story building continually shading and tunneling the River Road, bike and walk paths and park lands.

As you know, countless citizens and visitors tour this historic area by walking, biking and riding the pathways as well as the road on the river side. The proposed project would eliminate a significant opportunity for these residents and visitors to have park-like access to the riverfront.

Clearly, this valuable land can be developed to satisfy the important concerns of the City and its citizens. However, more than modest changes would need to be made in design, scale and sizing before the proposed project should be allowed to proceed.

Thank very much for considering my views.

Respectfully submitted,

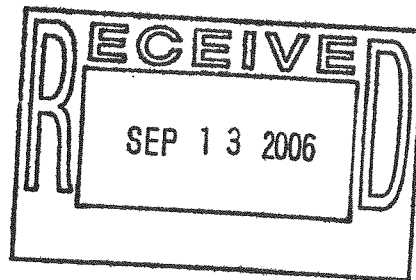
Bill Luther
wpluther@aol.com
952-829-1038

9/15/2006

401 S. 1st Street, # 622
Minneapolis, MN 55401

September 12, 2006

Michael Orange
CPED
Minneapolis, MN



Subject: Wave Project in Down Minneapolis

Dear Mr. Orange:

It was a conscious choice for my husband and me to buy a downtown condo property, not a necessity. We work out of our home, so we can live anywhere in the Twin Cities area (or elsewhere). Some of the reasons for our choosing downtown Minneapolis, and specifically the River West condos, were:

- Easy access to Riverfront trails
- Convenience to theatres, library & restaurants
- Overall beauty of the river and riverfront
- Small amount of traffic along 1st street
- Least amount of noise along 1st street
- Safety

Unfortunately, we now have learned that much of that is being threatened by the latest proposed plan for "The Wave".

After having been told about a possibility of a townhouse project on the riverfront property between 3rd and 5th Avenues, we decided to go ahead and invest at that location, feeling assured that a few townhouses would neither increase the traffic/congestion/crime along 1st street, nor change the overall atmosphere, beauty or investment opportunity of the area.

However, after seeing (what we believe to be) the latest proposal, which has little resemblance to the original plan, plus scanning the EAW report which leaves many questions unanswered, we have **grave concerns**. I've listed some of our concerns below along with comments:

- Destruction of Historic Ruins
- Increase in Traffic, Congestion & Noise Pollution
- Riverfront Policies ignored with appearance of Bait & Switch Tactics
- Impact of Vast Structure to River Lochs and Shoreline
- Safety issues for Pedestrians, Cyclists and motor vehicles

As it stands now, we look out our windows upon the graceful rock arches from the historic mills that once stood there. They blend into the **overall ambiance** of the downtown historical riverfront park in a way that no multi-story building can. We are concerned about the possible **destruction of these historic ruins** that will be entirely demolished in order for this project to be carried out.

It is obvious that a great deal of time and money has been spent to create and maintain an ambiance that will honor this area's history, bring it from a recent past where people were reluctant to walk through the area, to the present where people flock to the walking & bike paths and museum-like feel that has been preserved or created. Over and over, our guests have commented on the **positive changes to this area** as well as the city having maintained the historical feel and tree-lined river access this particular block provides.

Under the proposed plan, all this would **disappear forever**. The rigorous time constraints of the very brief dig on the park property (where the arches now stand) could not possibly have allowed for a thorough enough examination to uncover any "below-ground" history of that area. I would hope building plans would go no further without a **thorough archeological examination** of the property is completed. Obviously, once bulldozers are brought in, it's too late to discover hidden historical treasures.

As far as traffic and congestion are concerned, this seems obvious. At this time the most traffic on 1st street between 3rd and 5th avenues is early morning and late afternoon when US Postal trucks are enroute to and from the Post Office. This seems to be the favored tractor-trailer route, rather than making a left turn onto 1st street from 3rd avenue. The noise at those two times of day is double what it is other times of the day or night.

Adding more traffic to that corridor will create more than double that amount and because of the size and height of the latest proposed building plan, will also create a **"tunnel" and "echo" effect** that will be **impossible to escape**.

On any given holiday when there is an event along the river or the Stone Arch bridge, we stand on our balcony and watch in amazement as the traffic along 1st street between 3rd and 5th avenues tries to clear. It is **mass confusion** and **extraordinary noise**. I think we can expect no less on a daily basis with the amount of people who will be using this short block under the current proposal. The fact that there is such a **limited amount of space** between the River West building, the street and the proposed gigantic Wave building -- noise, congestion and increased confusion will be a given.

All of these leading to possible increases in **pedestrian accidents, traffic accidents** and **crime** -- the very things I believe the current design of the riverfront is supposed to avoid.

An additional concern that I hope city officials are looking into, is how this project was presented. This began as a small, **intimate townhouse project** and changed into a **massive condominium complex** in midstream. How can we be sure that there are no more surprises to come? Do any of us actually know what this project will actually turn out to be.

We hope you will take a **very serious** look at this project, the slippery way in which it was proposed then drastically changed, the impacts on the River, the Lochs, the overall Environment and Ambiance of the area, plus the quality of living now compared to the quality of life after a massive building of this kind is built on such a small parcel of land. The easy access now to the Riverside bike and walking paths, Stone Arch Bridge and the elimination of access to these areas once the Wave is constructed.

We also hope you will consider the long-range Historic presence in this area, and how it will be affected by this enormous structure, plus the possible environmental consequences to the river, shoreline and wildlife that now exists.

Thank you for your time and consideration. Decisions where economics vs. environmental concerns are prime factors are always difficult, but we believe that there is a solution to this present challenge where the city and the neighborhoods can both be winners. The Wave, as it is proposed to stand now, is not that solution. We hope you will see this and help us stop the massive Wave proposal and revisit a smaller, more intimate plan that will benefit the city, residents and future of our historic area.

Sincerely yours,

Lisa and Larry Wilson

Edna C. Brazaitis
4A Grove Street
Minneapolis, MN 55401-1502

September 13, 2006

Michael Orange
CPED – Planning Division
City of Minneapolis
350 South 5th Street, Room 210
Minneapolis, MN 55415

Re: Comments on The Wave EAW

Dear Mr. Orange:

I want to thank you for the opportunity to comment on the draft EAW that has been completed for the Fuji-Ya site, aka the Wave.

Excellent Public Comment Session

I attended the public comment session that you moderated on the EAW and I want to compliment you on the manner that you ran the session and the clear way that you outlined to the public the path through the regulatory process that the project would have to take. I think that everyone present found it extremely helpful and informative.

Missing Native American Perspective

While there is absolutely no doubt that the site is a very important place post-contact, I see no discussion in the EAW of the significance of this place to the Native Americans. Has the Native American community been notified of the EAW and given sufficient time to comment? Has there been an examination of their treaty rights under the 1807 Pike treaty?

Certainly it would be inappropriate for me to speak for the Native American community and their religious beliefs; but it is my understanding that the Falls of St. Anthony is an extremely, if not the most, sacred place to local tribes. One cannot help but be moved by the description from contemporary observers of the reverence that Native Americans paid to the area around the Falls.

For example, this is a description from Jonathan Carver, an English explorer who traveled to the Falls with a Winnebago he described as a "prince" and a Frenchman.

(Travels Through the Interior Points of North America in the Years 1766, 1767, and 1768). This is an excerpt¹:

The prince had no sooner gained the point that overlooks this wonderful cascade, than he began with an audible voice to address the Great Spirit, one of whose places of residence he imagined this to be. He told him that he had come a long way to pay his adorations to him, and now would make him the best offerings in his power. He accordingly first threw his pipe into the stream; then the roll that contained his tobacco; after these, the bracelets he wore on his arms and wrists; next an ornament that encircled his neck, composed of beads and wires; and at last the ear-rings from his ears; in short, he presented to his god every part of his dress that was valuable; during this he frequently smote his breast with great violence, threw his arms about, and appeared to be much agitated...nor would he leave the place till we smoked together with my pipe in honour of the Great Spirit.

I was greatly surprised at beholding an instance of such elevated devotion in so young an Indian, and instead of ridiculing the ceremonies attending it, as I observed my catholic servant [the Frenchman] tacitly did, I looked on the prince with a greater degree of respect for these sincere proofs he gave of his piety; and I doubt not but that his offerings and prayers were as acceptable to the universal Parent of mankind as if they had been made with greater pomp, or in a consecrated place.

Missing Views of the West Side Milling district from the location of the homes of those who founded it and Visa Versa.

The St. Anthony Falls National Historic District is blessed to have for the period of significance, not only the places where people worked, the businesses that they founded, but even the places that they lived. Before the turn of the century, this was a “walking city”

William Wallace Eastman was the man who brought flour milling to the West side. As listed in the proceedings and report of the annual meetings of the Minnesota Territorial Pioneers:

He came to St. Anthony, now Minneapolis, in 1854 and became a partner in the Minnesota Flouring Mill with his brother. Here he remained a partner until 1858, when he sold out and formed a partnership with Paris Gibson, and built the first flour mill on the west side, which they named the Cataract Mills. It was a five run stone mill,

¹ Carver's observations are also documented in a more compact fashion in his notebook which has recently been discovered and is in the British Museum.

and soon the "Cataract" brand of flour had a great reputation. In a few years Eastman & Gibson built the North Star Woolen Mills on the west side. It became famous for its blankets, which always took first premium wherever exhibited. The North Star Woolen Mills still continue as one of the industries of Minneapolis.

In 1869 Mr. Eastman originated an enterprise which promised not only to add to his own fortune, but to greatly increase the upbuilding of Minneapolis as a manufacturing center. He had been the first to demonstrate on the west side that water power could be utilized by a system of tunneling, and had made available power and land that could not be otherwise used. Mills valued at not less than a half million dollars were then being operated by his system, which included the North Star Woolen Mills. As compensation for this work, the West Side Water Power Co. gave him a perpetual lease of 250 horse-power, which was afterwards utilized for the Anchor Mill. He now proposed to develop another power that would eclipse the already famous west side.

W.W. Eastman was also the developer of Nicollet Island. Both he and his wife lived on Grove Street on Nicollet Island across the street from John DeLaittre, one of the owners of the North Star Woolen Mills, lived on Grove Street. The Bassett family also lived on Grove Street and had a substantial house on the site that DeLaSalle High School proposes to put a football stadium.

Paris Gibson lived for a time in the Eastman flats before he moved to Montana and further distinguished himself in that state as a U.S. Senator.

What has not been mentioned in the EAW is that there are significant views above grade from the locations where these individuals lived to the places where they worked. For example, there is a view of the Crown Roller Mill, the Washburn Crosby Mill, the North Star Blanket and the other historic building on the West side from Grove Street Flats, a contributing building, built in 1877 by W.W. Eastman.

In fact, J.B. Bassett who is described in the 106 report at length, lived for a time in the Grove Street Flats. From his windows he would have had a view of the buildings that he had built and ran.

I assume that the above grade views from the historic buildings where the people worked to their homes on Nicollet Island would also be affected.

The glass curtain of the Wave would block these views and destroy an important connection of the district.

This Project Needs an EIS.

I want to commend the 106 group for "uncovering" the spectacular resources that underlie the Fuji-Ya site. A strong voice of appreciation also needs to be paid to Scott Anfinson who was one of the first to bring the potential archeological resources to the forefront.

After the 106 report there can be no doubt that this project would have an significant adverse effect on these historical resources.

I have reread the 106 report over and over again and believe that the City is obligated to order an EIS to better understand in detail whether these significant adverse effects can be mitigated.

The 106 Group provided a great start by brainstorming a list of potential ideas that could be explored in more depth.. However, this is extremely complicated situation and these ideas have to have their tires kicked. Minnesota courts have held that there has to be more than "speculative" analysis. An EIS is extremely important step.

Thank you for your consideration of my comments.

Sincerely,

(transmitted electronically.

Edna C. Brazaitis

(25)

Orange, Michael

From: Marilyn_Cheuk@allianzlife.com
Sent: Wednesday, September 13, 2006 11:01 AM
To: Orange, Michael
Subject: Re: The Wave EAW Response Letter (with minor adjustments to my response letter)
Importance: High

Dear Mr. Michael Orange,

My sincere apology for sending a second email. I had some technical issues with Microsoft word program. Some bullet points in the letter are being shifted without notice when I review the letter again. Please find the below updated attachment. I apologize again for the duplicate email. However, please allow my voice to be heard here. Thank you once again.

- Marilyn C

Ka Mei (Marilyn) Cheuk, CISA
IT Auditor - Audit & Investigations
Allianz Life
Phone: 763-765-5785
Email: Marilyn_Cheuk@allianzlife.com

Marilyn Cheuk/allianzlife

To michael.orange@ci.minneapolis.mn.us

cc

09/13/2006 09:41 AM

Subject The Wave EAW Response Letter

Dear Mr. Michael Orange,

Please kindly review my response letter attached with respect to the WAVE Project after reviewing the EAW and the Phase II Archaeological Evaluation. I appreciate the time and effort you had spent to include many of the residents voices in this matter. Thank you.

- Marilyn C

[attachment "Letter to Michael Orange regarding EAW for The WAVE Project.doc" deleted by Marilyn Cheuk/allianzlife]

Ka Mei (Marilyn) Cheuk, CISA
IT Auditor - Audit & Investigations
Allianz Life
Phone: 763-765-5785
Email: Marilyn_Cheuk@allianzlife.com

9/15/2006

Ms. Ka Mei Cheuk
Resident of Riverwest Condominium
401 South First Street, Unit #512
Minneapolis, MN 55401

Mr. Michael Orange,
Minneapolis Community Planning and
Economic Development Department—Planning Division,
City Hall Room 210, 350 S. 5th Street,
Minneapolis, MN 55415-1385

Date: September 12, 2006

Dear Mr. Orange,

Thank you very much for facilitating the public comment meeting held in the Mills City Museum on September 6 2006 allowing the community to voice concerns regarding the Wave Project built right across 401 South First Street, Minneapolis MN 55401. I appreciate the time and effort everyone has put forth to help addressing our concerns regarding the project.

After my review of the *Environmental Assessment Worksheet for the WAVE project*, I would like to address my concerns with respect to the historical site restoration/preservation. I would concur with the current *Phase II Archeological Investigation* that, the WAVE project, in its current design, has an *adverse* effect in preserving the archaeological, historical and architectural resources of the area based on the following reasons:

- 1. The historical significance of the St. Anthony Falls NRHP Historic District Area on its own should be restored and preserved. The WAVE project has an adverse visual impact to the current view of the St. Anthony Falls.**

United States of America called her own independence on July 4, 1776. As of September 12, 2006, United States of America is currently 230 years old on her own, a relatively young country compare to other parts of the world. In addition, the below quote from the *Phase II Archeological Evaluation* page 9 document, clearly evidences the historical significance of the three mills ruins and the tie of its history contributing to the Minneapolis City's growth and prosperity -

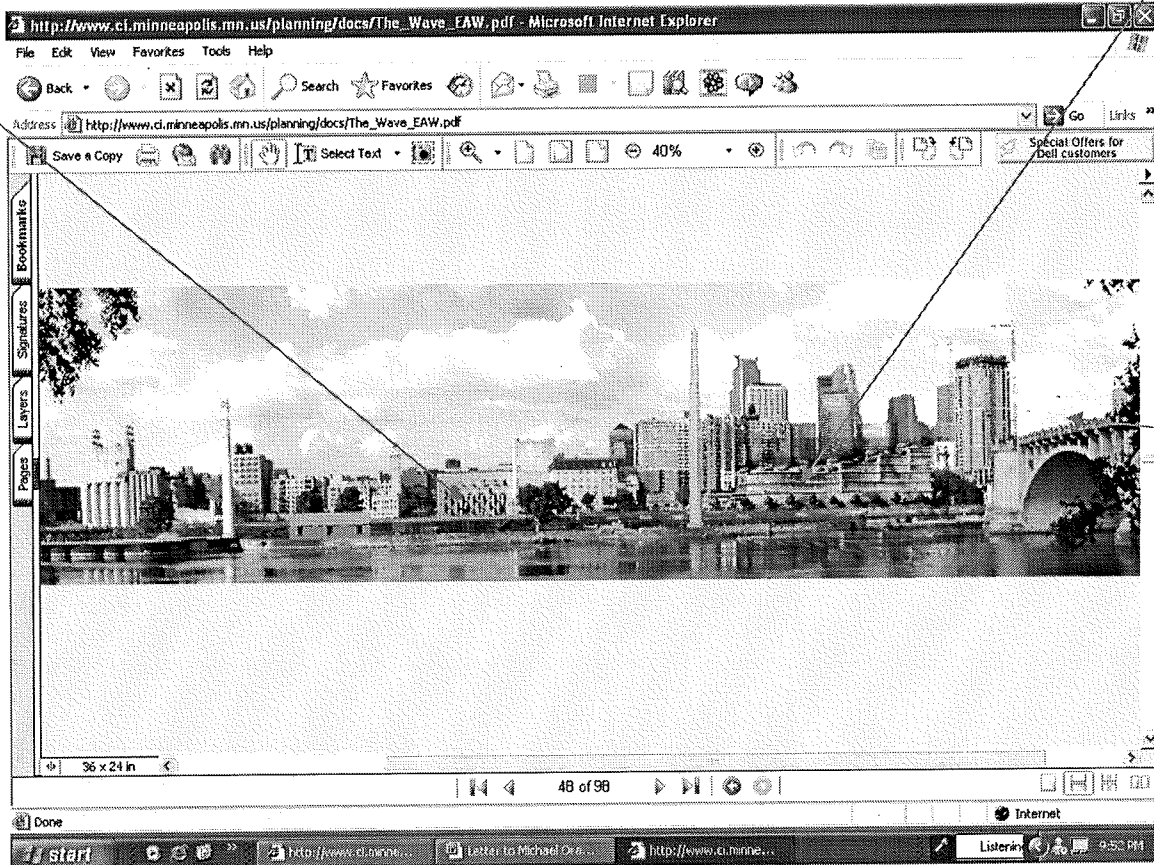
"The early growth of the city of Minneapolis during the mid 19th century stemmed from its promise as a merchandising and manufacturing town (Borchert et al. 1983), underscored by the conduciveness of its natural resources to extensive lumbering and agriculture production. The saw and flourmills in the St. Anthony Falls area of Minneapolis and St. Anthony were the engine that drove that growth, they harnessed the power of the falls to power the mills and to grow the young cities of Minneapolis and St. Anthony in the process. As a result of the burgeoning lumber and flour interests at the falls, the Minneapolis Riverfront also evolved into a transportation and shipping hub through the introduction of railroad interests, as evidenced through the Milwaukee Road Depot on Washington Ave and 3rd Ave S, the Stone Arch Bridge, the Chicago, St. Paul, Minneapolis and Omaha Railroad Roundhouse, and many other railroad-related buildings and features throughout the historic district."

While I do not oppose a slight modern touch of the St. Anthony Falls District would update its own appearance, a large, modern, edgy, "hip", "boxy", glassed floor-to-ceiling 11-stories high WAVE building stretching between the current Fuji Ya Building through the stone arch bridge *would significantly overpower* the astonishing riverfront view of Minneapolis as illustrated in page 53 of the *WAVE project EAW* (Please see the below picture captured from the *EAW*).

This part shows the proposed WAVE project development. It appears to be too wide, long, overpowering, modern & edgy which does not fit the historical significance of the area

The WAVE project, at its current edgy design, clearly lacks its respect to the current city's historical heritage Minneapolis has brought forth to the community for the past generations.

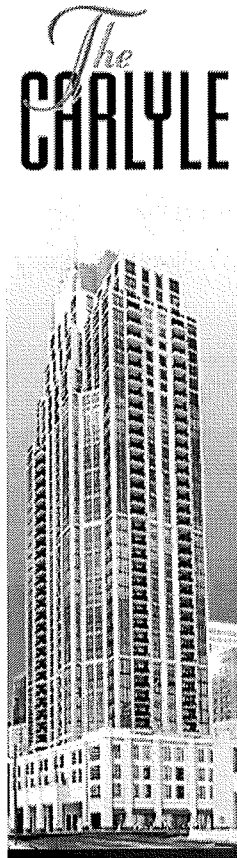
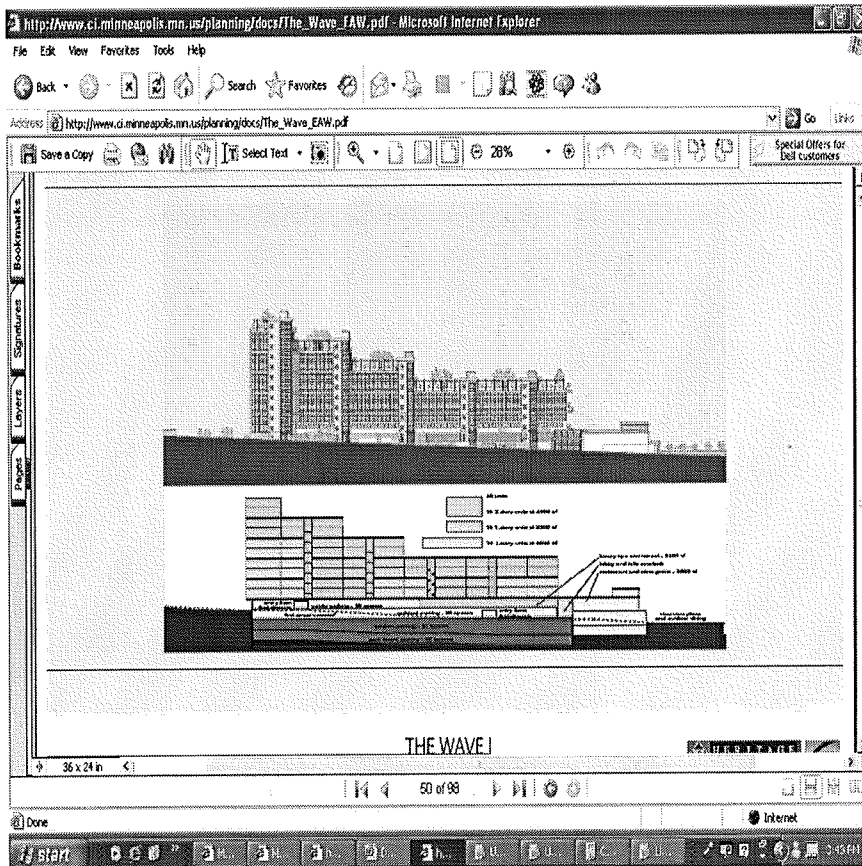
This part of the site appears to look historical



Then the bridge has its own historical influence to the district.

In addition, as detailed in the *Phase II Archeological Investigation, Page 112 to Page 116* illustrated clearly the visual impact to the St. Anthony Falls' Historic District. The WAVE building at its current design appears to be unfit with the concept of preserving the history, the roots, and the unique culture of Minneapolis. The above picture clearly illustrates how unfit the current project design to the historic district of the St. Anthony Falls.

Again, from the below picture drawn from the *EAW*, it appears the WAVE building concept is just another modern, boxy look of the building that loses its touch and connection with the historic influence of the St. Anthony Falls. Please see the below picture is drawn from the attachments from the EAW for details.



NOTE: The above picture of the Carlyle Condominium is drawn from <http://www.thecarlylelife.com/main.html>

As a resident of the area, I observed many modern, wide, large-windows, floor-to-ceiling glass-liked buildings built in the Minneapolis city area, ranging from 5-stories high complexes to the high-rise buildings such as the Carlyle Condominium in the last 5 years. The Carlyle Condominium by itself is built across the street of the WAVE project's proposed area of development. While one of these modern, edgy looking buildings in the St. Anthony Falls NRHP Historic District would provide the modern touch of the exciting, dynamic city life, another addition of a modern look-alike building such as the WAVE building at this close proximity will definitely diminish the historical significance of the St. Anthony Falls NRHP Historic District, which is essentially the root of Minneapolis.

In light of preserving Minneapolis' history and its own culture as relates to the Mills industry in the past, I urge the *Minneapolis Community Planning and Economic Development Department – Planning Division* to re-consider the WAVE project's suitability at its current design in this particular historical district.

2. **The Below Three Mills are all eligible for its own listing at the NRHP – National Register of Historic Places. These mills ruins need to be carefully preserved/restored with a building design that complements its own historical background.**

Based on the *WAVE Project's EAW page 24* and the Analysis of Effects and *Phases II Archaeological Investigation - Page 9*, it appears the below three mills have its own unique history and historical significance:

- Bassett's Sawmill (was first built in 1866, 90 years after US called her own independence, 140 years old as of to-date)

Bassett Sawmill, at its own significance, had served itself to carry a daily capacity of 100,000 board feet of lumber, 30,000 shingles and 30,00 laths in the late 1800s. The sawmill's engine house survived and provided the power to the Columbia Flour mill until 1941. While the wheelhouses were torn down in the 1940s, the surviving engine house was integrated into the current Fuji Ya Building in 1968.

In my opinion, bringing this surviving engine house that was integrated into the current Fuji Ya Building back to life will provide tremendous education value to many of the younger generations and visitors. It is one of the long lost roots the general public would have yearned to learn more about if the city put emphasis on.

- Columbia Flour Mill (was first built in 1882, 106 years after US called her own independence, 124 years old as of to-date) & Occidental Feed Mill (was first built in 1883, 107 years after US called her own independence, 123 years old as of to-date)

The Columbia Flouring Mill carries its own unique historical background to the Mills industry in Minneapolis. During the 1880s, *Minneapolis held its title of being the "queen flour city" partially due to the Columbia Flouring Mill*. The production of flour rose from 193,000 to 2,051,840 barrels of annually due to the increasing number of flour mills at the time with estimated value of roughly \$1.1 million in 1870 to over \$20 million in 1880s. Within those 10 years, the estimated value had grown for almost 20 times, which justifies the historical influence of the flour industry in the turn to the 20th century.

The interconnection between Occidental Feed Mill and the Bassett's Second Sawmill apparently brought the capacity to mill over 50 tons of grain in a 10-hour period in 1885. In addition, the Occidental Feed Mill was regarded as "*a good trade on rye flour*" for the customers at the East Coast during the late 1880s.

Based on the *Phase II Archaeological Investigation*, it appears various flour mills were burnt/destroyed as time past by. Therefore, it is critical for the City of Minneapolis to restore the Columbia Flour Mill and the Occidental Feed Mill ruins to its best possible shape as possible in order to bring some of the glorious flour industry historical memories back to life. As a result, it would open the eyes of the many more generations and visitors learning more about the history of the Riverfront.

- The Fuji Ya Building built in 1968

As I was doing more research relates to the Fuji Ya Building, it dawned to me about a heart-breaking story of Ms. Reiko Weston, the former owner of the Fuji Ya restaurant being forced out of the business due an unfair treatment the Park Board had done to take away her 1.9 acres land for its own parking space. Taking away the land by the Park Board without parking available at the time caused Fuji Ya to close the business at its location. According to the Star Tribune article, "Ms. Reiko Weston handled the land with extreme care by hiring a Japanese man, Shinichi Okada, an architecture student at the U of MN to design the building in a respectful manner of the ruins and the Japanese

culture.” Unfortunately, Ms. Reiko Weston died at age 59 in 1988 due to a fatal heart attack, shortly after the Park Board successfully took away the land.

NOTE: Please refer to the Minneapolis Star Tribune Article published in Feb 20, 2005, Edition: Metro, Section: News, Page #1B for the above research details.

Also, according to the WAVE project’s EAW, Fuji Ya Building has not been evaluated for its significance under its own merits. I urge the Minneapolis Department of Community Planning and Economic Development - Planning Division to preserve the Fuji Ya Building as an investment of preserving the history of the ruins. The Fuji Ya Building is currently 38 years old as of 9/12/2006. Just a little more than one decade (12 years as of today), the building would be qualified to be evaluated as of its own historical significance according to the NRHP Criteria Consideration G for exceptional significance, considering the Bassett’s sawmill ruin was carefully preserved due to Ms. Reiko Weston’s respectful approach to the city’s own history while constructing the Fuji Ya Building.

In light of this heart-breaking story of an owner who operated with hard work, integrity and respect to the city’s ruins, I urge the Fuji Ya Building to be restored/preserved in a form where it can best bring memories to honor Ms. Reiko Weston.

The WAVE Project EAW page 4 also mentioned that *Omni Investment*, formally called as *Heritage Development*, is considering a total of 199 underground parking spaces for the project. While analyzing this further, the 199 parking spaces concept will permanently bury the historical mill ruins underground. While careful architectural design might be done to somewhat preserve certain areas of the ruins, it does not appear any of these historical mills ruins can be brought back to life with the underground parking concept. This is a significant concern I would kindly urge the *Minneapolis Community Planning and Economic Development Department – Planning Division* to consider.

3. Have the Mills City Museum without the historic features in the area does not bring historical culture back to life for visitors and for the future generations.

The Mills City Museum was originally built to bring education to the general public about the Mills industry of Minneapolis and how it prospered the city in history. This museum brings the glory of Minneapolis as the "Flour Milling Capital of the World" in the 1800s and the early 1900s back to life.

However, without the above historic ruins illustrated in point #2 at the nearby site, I ask the following questions to the Minneapolis Department of Community Planning and Economic Development – Planning Division:

- a. How can the residents of Minneapolis justify to the future generations of its own glory and its own roots?
- b. How can the city be able to justify the reason of not restoring/preserving the above historical ruins to the general public is due to a modern, "hip", edgy WAVE project to act as the vehicle of generating property tax revenue for the city as of today? What if the property value will not appreciate much as expected (which will be analyzed in point #4)?
- c. How can we educate our future generations that preserving the cultural roots of Minneapolis should be the first priority if the city is not setting an example today? How would our future generations know where they come from if there are no preservations done now?
- d. How can the city justify its own historical roots are now faded away, losing its historical significance in the nation partially due to a floor-to-ceiling giant "glassed-house" WAVE project?

A Special Side Note: The WAVE project, at its current design, does not appear to be qualified earning any architectural awards for the St. Anthony NRHP Historic District. Many of these edgy buildings are starting to be built in the Minneapolis area (such as the Grant Park Condominium that was built in 2003 at Fifth Avenue South & 10th Street South, IVY Tower, the 1016 Marquette at the heart of the downtown Mpls area, SKYSCAPE'S Condo at 609 South Tenth Street, Minneapolis, BridgeWater Loft in the Mills District Area and the Carlyle Condominium right across the street of the WAVE Project's proposed location are all currently under construction). All of the above buildings mentioned appear to have the same modern touch of the extremely large, wide floor-to-ceiling glass windows as a key feature of a home. All of the above buildings appear to accommodate vast amount of residents at one time, just like the 38 units WAVE project design. Therefore, the WAVE building's current design does not appear to be any special in its current form because too many of the similar kinds are being built in the cities. The color of the building is mainly in orange color, which also does go along with the clear sky blue water color of the Mississippi River in the area.

The reason why the Mills City Museum building earned the 2005 AIA Honor Awards for *Architecture from the AIA - The American Institute of Architects* was because the building concept is noted as "*a creative adaptive reuse of an extant shell of a mill building, with contrasting insertion of contemporary materials, weaving the old and the new into a seamless whole*". Please refer to the AIA link referenced here for details. <http://www.aia.org/SiteObjects/files/Fact-MillCity.pdf>.

On the contrary, the WAVE project, as of its current design, proposed by *Omni Investment* (formally known as the *Heritage Development*), does not exert any preservation of the mills' which is an important part of the historical heritage of Minneapolis. While preservation of the historic sites is somewhat mentioned in the *Phase II Archaeological Evaluation page 108 to page 114*, it does not appear to me how the a modern, edgy WAVE project at its current design can incorporate the mills ruins to bring back any historical significance of the mills had served the Minneapolis residence for generations.

4. The City's Potential Property Tax Revenue Amount might not meet expectation for the WAVE project – The Market is Changing

My another concern is what if the WAVE project cannot generate as much tax revenue as expected 8 to 30 years in the future because there is an overwhelming supply of the modern, edgy, glass-looked buildings in the area? As illustrated in point #3's special side note, the extremely large, wide windows, contemporary/modern, floor-to-ceiling 11-stories design of the WAVE building does not appear to look any special due to the many other similar conceptual designs being constructed in the Twin Cities area.

The question is - Will the property value in the area as a whole be dropping and the vast majority of the people decide moving away from the downtown Minneapolis, because other than a couple modern buildings, there are no more historical attractions venues for visitors and future prospective residents? Based on history around the globe, when the density of the population start increasing, residents eventually move and expand the sub-urban area, leaving the city back into a ruin area where properties are not valued. It has been historical cycles throughout city development in many major cities across the world. Is this what the city want in 30 years time? How much of a disaster would it be for the city? Today is the day the city of Minneapolis can exert some control around what development should be done to avoid the abundance of the city in 30 years time. I ask the *Minneapolis Community Planning and Economic Development Department – Planning Division* to be mindful that glassed, wide windows, floor-to-ceiling, modern/contemporary buildings concept might not be considered as the "coolest" architectural design in 30 years time.

The Generation X Market Versus the Baby Boomers

On one hand, it is common sense to the city that the population is aging in the next 8 to 30 years. On another hand, the Twin Cities' major constructions effort had been focusing on the updated, contemporary modern building looks for future residents in the last 5 years.

While the modern, edgy design of the WAVE building might appeal to the Generation X population (people who are born in between 1961 and 1981) because of its modern, "cool-looking" design as of today – 9/12/2006, it does not appeal to the baby boomers (people who are born in between 1946 and 1964) that have the most spending power in the district in the next 8 to 30 years in real estate due to the life-style changes.

Baby boomers are the individuals who worked very hard in their whole lives now looking for a comforting, convenient residential area to retire. Generally speaking, the baby boomers are more likely to sell the current home when children are all grown up and moved away to exchange for a smaller residential space at a location where it is convenient to wine, dine and shop around with less maintenance work of owning a house. However, generally speaking, the baby boomers generation would prefer a more enclosed space (not the extremely large, wide, overpowering floor-to-ceiling glass windows like the WAVE project) with some traditional/historical heritage to residence in the downtown Minneapolis area.

How are the current construction projects in the area serving the Baby Boomers?

The baby boomers generation deserves the respects and care from the building development construction companies. Many had worked extremely hard for the many years to accumulate this wealth for a comfortable retirement home in a convenient location such as downtown Minneapolis. So, I ask, how can the WAVE project development help this underserved market in the next couple years? This current land is a perfect area to explore the "heritage-feel" building project concept to complement the astonish riverfront view. Can we imagine the baby boomers wanting to live in the edgy WAVE building where the extremely large, wide, floor-to-ceiling glass windows exposed their entire residential space to the residents at the Riverwest Condo? Will there be any privacy? A one-sided glass window where the outsiders would not be able to peak into a

private home might be a solution. However, can this solution address the psychological concern of a prospective homeowner feeling the entire home is exposed to the strangers across the street? My answer is a definite, "No."

In addition, I think privacy would continue to be a concern if the WAVE building is developed because South First Street by itself is extremely narrowed (1-lane traffic each way on South 1st Street with an extremely narrowed side-walk that is already jeopardizing pedestrians' safety as of today). If I were the people who has money and power to spend on a retired home, I would honestly choose my residence some where else where there are less density.

In conclusion, I ask, "So, if the WAVE building is not a preferred residential place, how can it increase its market value in the future for the city? If the market value of the WAVE building cannot be increased, how can the WAVE project maximize its future property tax revenue for the city?" Apparently, a modern, giant, extremely large, wide, floor-to-ceiling glass windows home with an 11-stories high building approach just does not seem to be meeting the future residence and visitors' needs in this unique historical district.

My Closing Remarks – A Business Decision Needs to be Ethical & Socially Responsible

Thank you, again, Mr. Michael Orange, allowing the residents to provide their inputs, thoughts around the WAVE project development. Honestly, I was disappointed at *Omni Investment's* WAVE project development concept. Ironically speaking, a developer who formally calls itself *Heritage Development* had NOT successfully designed a building that brings the St. Anthony Falls history and heritage back to life with this beautiful piece of land the city can offer.

However, I do have the trust and belief that *Omni Investment* has the capacity in addressing the above concerns based on the extensive EAW that was performed. The older generations of the Minnesota residents take the historical heritage of the St. Anthony Falls to the heart because they had first-hand experience living in this historic site for many years. This land represents Minneapolis residents' roots. Inadequately incorporating this historical site with some modern, "hip", contemporary building will break many of our older generations' hearts, seeing the history of the St. Anthony Falls being drastically destroyed.

While the profit margin for *Omni Investment* might need some adjustment, I believe *Omni Investment*, formally called as itself as the *Heritage Development*, has the desire to be ethical and socially responsible to help the city design a building that brings back the St. Anthony Falls' Riverfront heritage back to life. I hope I am viewing *Omni Investment's* incentive correctly in this particular effort. If not, I urge *Omni Investment* to seriously consider its own social responsibility to the community in the St. Anthony Falls Riverfront area. Destroying the St. Anthony Falls' historical heritage for the sake of making a one-time real-estate profit does not appear to be an ethical and socially responsible decision. *Omni Investment* would not earn any merits and its reputation will be tarnished in the future years if the WAVE project is carried forward without careful consideration of social responsibility to the City, especially since their former name was *Heritage Development*.

When it comes to protecting the Riverfront history, the city might need to consider sacrificing a small portion of today's tax revenue as an investment for the city as a whole. However, sacrificing this small amount of today's tax revenue will also mean a significant housing property value appreciation in the area since the site now becomes a premier location for prospective residents to move in. That allows the city pays its own investment back by doing the right thing today - protecting the historic sites today.

Smart Density, is a great concept. Buildings are great when they complement the surrounding historical sceneries. However, incompatible building design at the area will ultimately ruin the

city's image permanently; especially considering the historical ruins will not be adequately be complemented with the new, "hip", edgy, modern building structure.

Without the historical ruins, without the current St. Anthony Falls Riverfront, the city of Minneapolis would never have the opportunity to be prosperous. In preservation of the district, I ask WAVE building concept be seriously revised. In my opinion, the current WAVE building concept requires significant adjustment as its current design.

If you, your committee, the Heritage Preservation Commission, *Omni Investment*, or any other interested parties have concerns/questions related to my comments above, please do not hesitate to contact me at marilyncheuk@hotmail.com or at 612-865-3056. *Riverwest Condominium Association's spokesperson* and I will be more than happy to explore the best solution for the city, for the preservation of the historical heritage of the St. Anthony Falls, for the city, for the neighbors and for *Omni Investment*.

Thank you.

Sincerely,

Ka Mei Cheuk
Resident of Riverwest Condominium Unit #512

Orange, Michael

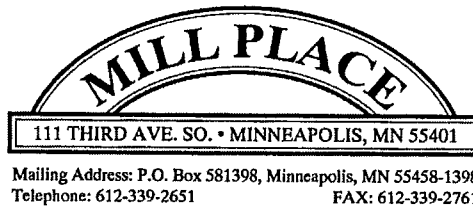
From: Craig Kupritz [craigk@usinternet.com]
Sent: Wednesday, September 13, 2006 9:53 AM
To: Orange, Michael
Subject: Wave EAW

Attached are two documents regarding our response to the Wave EAW dated August 11, 2006.

Please confirm you have received this email with its attachments. Thank you.

Craig Kupritz

9/15/2006



September 12, 2006

Mr. Michael Orange
Consulting Planner
City of Minneapolis
210 City Hall
350 South 5th Street
Minneapolis, MN 55415

Re: Wave Environmental Assessment Worksheet

Dear Mr. Orange:

We are the owners of two historic properties adjacent to the proposed Wave development, the Mill Place Office Building and the Minneapolis & Eastern Railway Company Engine House. We are also the owners of the historic Freight House situated on the Milwaukee Depot Block (occupied by Dunn Bros Coffee). We have a long history of involvement in development and historic restoration along the riverfront in the Mill District.

Comments on the EAW are as follows:

1. Please correct and be consistent with the names used for the adjacent Mill Place property, 111 3rd Avenue South, sometimes referred to as "Mill Place Office Building," its current use and sometimes as "Dan & Hall Barrel Factory" which was its original use.
2. Please be sure to include the adjacent "Minneapolis and Eastern Railway Engine House", 333 South First Street, which is left out in some instances such as in "#9 Land Use" or referred to as the 14'-16' high building without name in other instances. This 2-story building across the street from the proposed Wave is impacted perhaps more seriously than any other adjacent building.
3. The "Freight House" at 201 3rd Avenue South, on the Milwaukee Depot block and built in 1879, is not referred to by name but should be since it is a separate property and owner.
4. Please include the Parcel A property (South Second Street between Third and Fifth Avenues South), owned partly by us and partly by the city. Although currently a surface parking lot, future development of this site will be impacted by the Wave development.

5. Regarding Traffic on the River Road, please see the attached letter from the Park Board dated May, 22, 2002. The Park Board cancelled a trail connection from downtown to the river because "increasing the bike and pedestrian traffic crossing the parkway at an uncontrolled intersection would significantly increase the risk for accidents and the Board's liability for those accidents." How can the Park Board now plan to provide 65 parking spaces in the same spot as the trail was planned and not have the exact same crossing risk they had previously?
6. Regarding visibility on the River Road, please again see the attached letter from the Park Board. They claimed that signs for the above mentioned trail to the river "would require significant signage, which would obstruct views through this recreation area and contribute to sign pollution." There would be a similar amount of signs for their public parking ramp and the Wave would certainly obstruct views more than any signs for the trail ever could.
7. New sketches or photographs showing the impact of the Wave should be provided by an independent party, the current sketches provided by the developer are deceptive in how they depict the views from other buildings.
8. As adjacent property owners we have not been included in any mailings or notifications of meetings, please be sure we are added to the list. We learned of the EAW only through our inquiries.

The proposed Wave development fails most of the tests outlined in the EAW and should not be permitted to be built at the Fujiya site.

This last bit of mostly undeveloped, tree-lined, nature filled, historic riverfront property should be used as a public space and have its significant historic ruins uncovered and made available to all.

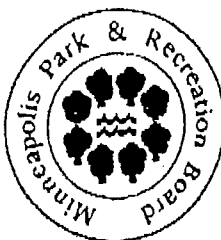
I can be reached at 612-339-2651 if you have any questions.

Sincerely,

Craig Kupritz

Cc: Beryl Miller

Attachment: Park Board trail rejection letter

Rec'd
4/24/02

May 22, 2002

Randal Hemmerlin
Project Coordinator
Minneapolis Community Development Agency
Crown Roller Mill
105 Fifth Avenue South, Suite 200
Minneapolis, MN 55401-2534

Dear Mr. Hemmerlin,

Minneapolis Park & Recreation Board (MPRB) staff reviewed the Parcel A trail design and do not support the plan due to the mid-block crossing it would create across West River Parkway. We would not advise the Park Board to approve this design for two reasons; 1) increasing the bike and pedestrian traffic crossing the parkway at an uncontrolled intersection would significantly increase the risk for accidents and the Board's liability for those accidents, and 2) this connection would require significant signage, which would obstruct views through this recreation area and contribute to sign pollution.

President
Bob Fine

Vice President
Marie Hauser

Commissioners
Rochelle Berry Graves
Walt Dziedzic
John Ervin
Vivian Mason
Jon Olson
Edward C. Solomon
Annie Young

Superintendent
Mary Merrill Anderson

Secretary to the Board
Norman C. Menifield, Ed. D.

Administrative Offices
400 South Fourth Street
Suite 200
Minneapolis, MN 55415-1097
Phone: 612-661-4800
Fax: 612-661-4777
TTY: 612-661-4788

Operations Center
3800 Bryant Avenue South
Minneapolis, MN 55409-1000
Phone: 612-370-4900
Fax: 612-370-4831

The MPRB staff recommend developing an on-street alternative for this bikeway, and continuing the construction of Parcel A without the proposed off-street bike/walk path.

Thank you for the opportunity to review and comment on this project. Your continued support of park projects is greatly appreciated.

Sincerely,

Judd Rietkerk, Assistant Superintendent, Planning

Cc: Commissioner Vivian Mason, MPRB
Mary Merrill Anderson, Park Superintendent
Minneapolis Bike Advisory Committee

Orange, Michael

From: Dastj02@aol.com
Sent: Wednesday, September 13, 2006 2:18 AM
To: Orange, Michael
Subject: The Wave EAW - TIME SENSITIVE DEADLINE WED SEPT 13TH 4:30 P.M.

Re: The Wave EAW
The Wave Project by Omni Investment
PROJECT, 304-320 FIRST STREET SOUTH

Dear Mr. Michael Orange:

I attended and listened to the recent public comment meeting regarding the Wave EAW and development project on the Fuji Ya site held last Wednesday, September 6th.

I am requesting an EIS for this project. I am concerned about the negative impact that this project would have on the area's historic and environmental resources.

I am also opposed to more traffic spilling out on to the West River Parkway in a heavily used pedestrian area. Two additional curb cuts on the West River Road.

Finally, there is a strong historical connection between Nicollet Island and forefathers of Minneapolis such as JB Bassett as he gazed upon an industry he helped build along the river front and proposed area of development. I think we would be remiss as citizens of Minneapolis not to see the connection and protect what few ruins remain of early Minneapolis history.

We must preserve the historical context of the river's land use, and history of the city. We need to stop overbuilding the riverfront. We do very little to mention the history of local American Indian tribes or tell their story. And EIS will help us chart our course more respectfully.

Please acknowledge that my comments have been entered into public record and I have met city's deadline before close of public comment period.

Respectfully submitted,

Katie Simon-Dastych
Cooper Resident
2809 - 42nd Avenue South
Minneapolis MN 55406

Orange, Michael

From: Maren Kloppmann [marenk@earthlink.net]
Sent: Tuesday, September 12, 2006 11:17 PM
To: Orange, Michael
Subject: The Wave Development

Dear Mr. Michael Orange,

As 4 year Resident and homeowner at Riverwest I am writing in regards to the Wave Development proposal on South First Street in Minneapolis.

I attended the public hearing regarding the EAW report last Wednesday at the Mill City Museum and would like to follow up with this letter.

I am expressing my opposition to the proposed development. The EAW appears in my opinion to be insufficient regarding the impact on traffic, enviroment, sewer/water needs and the historical site of the three mill ruins.

From the research that has been done collectively by the Riverwest residents and which was presented and recorded at the public hearing, the Wave appears to only meet one or two city requirements regarding the historical site.

Further the impact of traffic and water run off was conducted at a time that excluded the impact the 500 plus residents of the Carlyle building will have on the immediate neighborhood. The EAW appears in this light to be incomplete.

Like many residents in my building I am not against a re-vitalization effort of the site. However it appears that the site constitutes the growth of several mature trees (the ONLY ones in this river front neighborhood), as well as 3 ruins of the very original mill that founded Minneapolis, has not fully be considered. These facts must be fully addressed by the city, the commissioners and the Park Board.

The Wave development appears to not consider any of these vital aspects but is designed to bring profit to just a few, not to the community. The EAW seems to be an afterthought in this project not a serious consideration of the well being of an already established residential community.

I thank you for your time and consideration and hope that you will re-consider that not a new condo development but the preservation of the existing patch of nature and the mill ruins will add to the face of this community.

Sincerely,

Maren Kloppmann
401 S. First St. # 1011
Minneapolis MN 55401

(29)

Orange, Michael

From: Janet Meyer [mjanet2222@msn.com]
Sent: Tuesday, September 12, 2006 10:00 PM
To: Orange, Michael
Subject: Response to EAW for Wave development on First Street South

Mr. Orange,

I am a resident of Riverwest condominiums and have read the Environment Assessment Worksheet for the potential Wave development. It would be my hope that whatever is built on this site would preserve the archeological and historical items and foundations that are on this site (in the historic district) and that it would comply with current heritage preservation policies and guidelines.

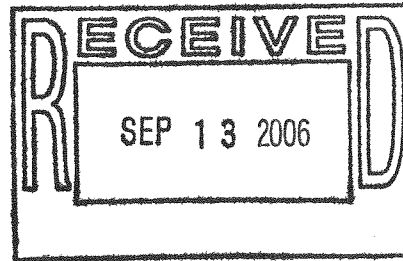
It would also be beneficial to area residents and tourists staying at the Depot Marriott to keep the area connected to the riverfront. A smaller development would be more appropriate for this site and would allow more access to and visibility of the riverfront.

Thank you.

Janet Meyer
401 First Street South, #922
Minneapolis, MN

9/15/2006

Michael Orange
Consulting Planner
210 City Hall
350 South 5th Street
Minneapolis, MN 55415



Michael,

Thank you for chairing last weeks meeting for public comment regarding the EAW for the proposed Wave condo project. I was glad to see that the report (and several long term downtown residents) did a fairly thorough job of documenting the historical significance of the mill and railroad ruins located at the Fuji-Ya site.

Based on Andy Hauer's comments at the EAW meeting and my own review of the Downtown Minneapolis Neighborhood Association's July 12, 2005 meeting minutes, I feel that the DMNA should be given the opportunity to retract their letter of support for the Wave from the EAW if they so choose.

I have a few comments regarding clarity of the document. For question 7 *Project Magnitude data* (EAW page 5), could the height of the Wave proposal be reported with respect to West River Parkway? Because of the steep slope of the land, the building appears to be up to 3 stories taller on the side facing the river. This perspective of the building is what people will see when walking across the Stone Arch Bridge or jogging/biking the trails along the Mississippi River. There is a history of confusion around the true size and scope of the proposed Wave project; therefore, it is important that any misconceptions are cleared up early in the document.

Are the surrounding building heights reported in question 26 (EAW page 34) and on the *River Elevation* rendering (Attachment 3) with respect to 1st Street South? When I view the Downtown Post Office building from the corner of 1st Street and 3rd Ave, it appears to be only 2 stories (albeit they are taller than average stories). Additional clarity here would be helpful.

In the *Summary of Effects of New Construction According to the Minneapolis Heritage Preservation Commission (HPC) Guidelines* (EAW page 38), it is unclear why the existing silo-mills are used as a measuring stick for height acceptability when they sit much further back off the Mississippi River than the proposed Wave site.

Could the closest distance of the Wave's structure to the Mississippi River be included in the EAW? Even though the building is in conceptual stage, it seems reasonable that this distance could at least be estimated within ± 5 ft. The Wave's proximity to the River, along with the distance of other river front structures such as the Downtown Post Office, seem important because Section III B-6 *Building Height* of the Mississippi River Critical Area Plan (2006) states that, "In general, structures within the Critical Area should be shorter when located closer to the river."

As for my environmental concerns, Section III B-9 *Vegetation Cutting* of the Mississippi River Critical Area Plan (2006) discourages the removal of any vegetation along the Mississippi River

and specifically states that, "Also to be preserved are trees with a diameter at breast height of 12 inches or greater." It seems important that an environmental assessment of the Wave building site should include greater detail on the number and size of the trees that are spread throughout the approximately 1 acre river front lot. Ironically, the city is spending \$100,000 to plant 40 trees a few blocks away along Washington Avenue ("Update from the Mayor", October 7, 2005) yet at the same time considering a development that would basically clear cut riverfront park land that is adjacent to several key recreational areas and tourist sites.

There are currently over 500 condo units listed on MLS for the Central Minnesota area and thousands more planned according to the *Downtown Journal Condo Pipeline*. Several condo projects have started and stalled leaving poured foundations (The Reserve) or large holes in the ground (corner of Portland and Washington). Does it make environmental sense to destroy a historic and wooded site for more condos when more appropriate sites are sitting idle? A downtown of half filled condo buildings would be wasteful and not in the best interests of Minneapolis.

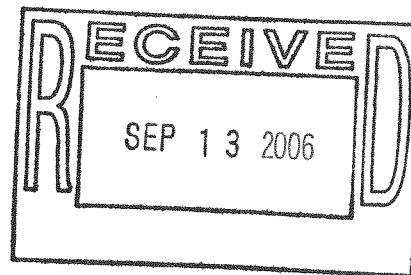
Thank you for your consideration,

Greg Dakin
401 S 1st Street #710
Minneapolis, MN 55401
gjdakin@netscape.net

(31)

September 12, 2006

Mr. Michael Orange
Consulting Planner
City of Minneapolis
210 City Hall
350 South 5th Street
Minneapolis, MN 55415



Re: EAW for the Wave Condominium

Dear Mr. Orange;

I wish to register my concern that Omni Investments Co. will modify their proposal for the Wave Condominium, to increase the number of units from 38 to as many as 152 units. If an increase in the number of units is proposed, then I urge that a new environmental assessment (EAW) be required to re-evaluate the impact to the site.

A second concern is the many large mature trees on the parcel of land where the Wave is planned. I was especially struck by the very large cottonwood at the lower end of the site. Hopefully, this huge, beautiful tree can be saved.

Thank you for your efforts to keep the River Front Area such an interesting and desirable place to visit. We often travel to Minneapolis, and the Riverfront area is always an important part of our travel plans. We'd hate to see one of the last natural areas on the riverfront replaced with such a large building. With all the other development in the area, I don't see how it contributes to the overall improvement that Minneapolis has achieved so far. I urge you to remind the city that tax revenues to the city are impacted by visitors as well as the local residents; please help maintain the area's few natural resources.

Sincerely,

Charles H. Gibbs
PO Box #2
Rugby, TN 37733

(32)

Orange, Michael

From: Christine A Pederson [christine.a.pederson@ampf.com]
Sent: Tuesday, September 26, 2006 12:34 PM
To: Orange, Michael
Subject: Re: The Wave Development

Dear Mr. Orange:

I'm not sure if the public comment period has passed or not but wanted to pass along a story regarding the Columbia Mills that I recently heard from someone who does not live in Minneapolis. What I found interesting and didn't really know about the mills is how economically important they were from a national perspective. This may be well known locally, but as new resident to Minneapolis I was unaware of the mills significance. To hear such a prominent person talk about the ruins show what an important treasure the city owns. I previously sent a letter noting my opposition to the proposed Wave Development. If possible, I would like these comments added to that prior letter.

I attended a luncheon hosted by the Minnesota CFA (Chartered Financial Analyst) Society on September 14 that featured Dr. David M. Darst as the speaker. He is Chief Investment Strategist for Morgan Stanley and author of several books. During his speech, he mentioned visiting the Mill Ruins and specifically talked about the significance of the mills changing the economic landscape as they ushered in a new era of low cost milling and caused severe dislocations in eastern markets as a result. He was discussing the mills in relation to how important they were in their time period to the economic shifts occurring today.

Sincerely,

Christine A. Pederson
401 S. First St., #308
Minneapolis, MN 55401

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9/26/2006

Orange, Michael

From: Farrar, Rebecca D.
Sent: Monday, September 25, 2006 11:02 AM
To: Orange, Michael
Subject: FW: Feedback Form

On to you.

Becca Farrar
Senior Planner - Development Services
Community Planning & Economic Development (CPED)
City of Minneapolis
Room 300 Public Service Center
250 S. Fourth Street
Minneapolis, MN 55415
ph: 612.673.3594
fax: 612.673.2526
rebecca.farrar@ci.minneapolis.mn.us

-----Original Message-----

From: Kress, Douglas
Sent: Monday, September 25, 2006 11:01 AM
To: Sanz, Tina L; Farrar, Rebecca D.
Subject: FW: Feedback Form

Please add this as public comment for the Wave

-----Original Message-----

From: Goodman, Lisa R
Sent: Friday, September 22, 2006 12:31 PM
To: Kress, Douglas
Subject: FW: Feedback Form

-----Original Message-----

From: dougv22000@yahoo.com [mailto:dougv22000@yahoo.com]
Sent: Thursday, September 21, 2006 3:04 PM
To: Goodman, Lisa R
Subject: Feedback Form

This is an email generated from the City of Minneapolis' web site. Zip Code : 55401 Phone_Number : 612-332-1152 Name : Douglas Verdier email : dougv22000@yahoo.com Address : 401 S. 1st St. #222 City : Minneapolis Message : Council Member Lisa Goodman Ward 7 City Hall 350 S. 5th St., Rm 307 Minneapolis, MN 55415

SUBJECT: The Wave Condominium

Dear Council Member Goodman:

I am writing to urge you to attend the public meeting of the Downtown Minneapolis Neighborhood Association (DNMA) on Wednesday, Sept. 27 at 6:30 PM at Open Book, 1011 Washington Avenue South to hear concerns of your constituents regarding the proposed Wave condominium project.

I know from the recent article in Downtown Journal that you are aware of the project and of some of the issues surrounding the evolution of the project. I do not know whether you have read the Environmental Assessment Worksheet (EAW) that was discussed at a public meeting on September 6 at Mill City Museum, but I would encourage you to do so. During the September 6 meeting, residents of the area near the proposed Wave location highlighted numerous points in the EAW that clearly indicate that the proposed project is unsuitable for the location. Residents also brought up several

key points that were not addressed in the EAW that merit consideration.

Briefly, the EAW concludes that the project fails to conform with nearly all of the Secretary of the Interior Standards as well as Minneapolis Heritage Preservation Commission Guidelines. The project is not suitable in any form for the location. I see no way such a project could be approved without violating the Standards and Guidelines. To grant the developers waivers or variances of the Standards and Guidelines would seriously undercut the safeguards designed to guard and protect both the environment and historical value of the location.

Approval of this project would be a travesty and would set a precedent for the future destruction of the few remaining areas of beauty and historical significance in the Downtown Riverfront area. It also would continue the disturbing trend of removing public green spaces along the riverfront that are key factors in drawing residents of Minneapolis to the area for recreation and relaxation.

I urge you to attend the DNMA meeting on September 27, and to review the EAW and the public's comments about the EAW that were offered during the September 6 meeting on this project.

Thank you for your support.

Sincerely,

Douglas L. Verdier

Email from page : <http://www.ci.minneapolis.mn.us/council/ward7/>

Orange, Michael

From: Marilyn_Cheuk@allianzlife.com
Sent: Wednesday, October 04, 2006 4:14 PM
To: carletta.sweet@worldnet.att.net
Cc: Goodman, Lisa R; kim@artspaceusa.org; cyn2n@earthlink.net; sparkin@srhoffman.com; andyhauer@yahoo.com; tom.hoch@Orpheum.com; gcnessler@mninter.net; jpfarr@mchispeed.net; archaeology@mnhs.org; mcm@mnhs.org; Orange, Michael
Subject: Concerns Regarding the WAVE Development in the NRHP District in Minneapolis Riverfront

Dear Carletta,

Thank you for the time you have spent with us to listen our concerns on September 27th regarding the WAVE project development.

I was told the concerns should be addressed to you. If I am some how being mis-informed, would you mind forwarding it off to the appropriate DMNA individuals for further review, please?

Attached is my letter, subsequent with my research, my analysis and opinions in terms of why I ask the DMNA to consider opposing the WAVE development, based on the EAW -
<http://www.ci.minneapolis.mn.us/planning/wave.asp>

Please kindly help the neighbors and preserve our historical roots in the area if possible. Thank you.

- Marilyn C

Ka Mei (Marilyn) Cheuk, CISA
 IT Auditor - Audit & Investigations
 Allianz Life
 Phone: 763-765-5785
 Email: Marilyn_Cheuk@allianzlife.com

CONFIDENTIALITY NOTICE: The information in this message, and any files transmitted with it, is confidential, may be legally privileged, and intended only for the use of the individual(s) named above. Be aware that the use of any confidential or personal information may be restricted by state and federal privacy laws. If you are not the intended recipient, do not further disseminate this message. If this message was received in error, please notify the sender and delete it.

12/5/2006

Ms. Ka Mei Cheuk
Resident of Riverwest Condominium
401 South First Street, Unit #512
Minneapolis, MN 55401

To: Carletta Sweet

528 Hennepin Ave. S, Suite #310
Minneapolis, MN 55403-1810

Cc: Lisa Goodman City Council, Kim Motes - DMNA, Cynthia Newsom - DMNA, Scott Parkin - DMNA, Andrew Hauer - DMNA, Tom Hoch - DMNA, Gene Nessly - DMNA, Jodi Pfarr - DMNA, Archaeology Department - Minnesota Historical Society, Mills City Museum, Michael Orange - Minneapolis Community Planning and Economic Development Department—Planning Division

Date: October 4, 2006

Dear Ms. Sweet,

Thank you very much for facilitating the public comment meeting at Open Books on September 27 2006 allowing the community to voice concerns regarding the Wave Project built right across 401 South First Street, Minneapolis MN 55401. I appreciate the time and effort DMNA has put forth to help addressing our concerns regarding the project.

I am by no means a city code expert nor am I a city planning expert. However, as a resident of the area, I ask the DMNA to consider my below concerns. After reviewing of the *Environmental Assessment Worksheet for the WAVE project*, along with researching on the true story about the WAVE project and the city codes, it does not seem appropriate for the WAVE project to be built at the proposed site, right across 401 South First Street, MN 55401. I ask the DMNA consider opposing the WAVE project development to be taken place as it is designed in the EAW for the right causes. My reasons are as follows:

1. The WAVE Project would only meet 1 of the 10 Interior's Standards and Guidelines set for the NRHP district according to EAW. Please review **Appendix 1 - Interior's Standards and Guidelines set by NRHP** (Page 1 & 2) for details.
2. The WAVE project would only meet 2 of the 9 Minneapolis HPC (Historical Preservation Commission) guidelines for the St. Anthony Falls Historic District according to EAW. Please review **Appendix 2 -Minneapolis HPC Guidelines** (Page 3) for details.

3. The WAVE project does not appear to meet any "Findings" criteria as required by the Minneapolis Zoning Code to obtain a Conditional User Permit. Please review **Appendix 3 – Minneapolis Zoning Code** (Page 4) for details.
4. The WAVE project is not compliant to the – “ARTICLE VIII. MR MISSISSIPPI RIVER CRITICAL AREA OVERLAY DISTRICT” defined by the City of Minneapolis. Please review **Appendix 4 - “ARTICLE VIII. MR MISSISSIPPI RIVER CRITICAL AREA OVERLAY DISTRICT” code** (Page 5 to 7) for details.
5. The WAVE project is not encouraged according to the Minneapolis Downtown 2010 for downtown living of the Riverfront area in Page 44, point #4 created by the Downtown 2010 Steering Committee. Please review **Appendix 5 – Minneapolis Downtown 2010 Document issued by the Downtown 2010 Steering Committee** (Page 8) for details

I drew this information from the City’s web site to support my concerns here.

6. Bait & Switch – Heritage Development changed their name to Omni Investment because ...
 - Unfair treatment to other bidders on this development by designing their buildings following the above guidelines but were rejected.
 - Omni Investment’s (prior name was Heritage Development) original development proposal was to build an eighteen-unit residential building. However, throughout the process, a 38 - unit building (6 to 11 stories high) with 199 underground parking, a “world-class” restaurant & spa is now being proposed.

Unfortunately, I could not sense any sincerity from Omni Investment during the September 27th 2006 DMNA meeting in addressing the name change and the building design change. Omni Investment kept pointing at the prior project design as “Jeff’s” project to delude others and avoiding their responsibility about the bait & switch topic. However, if an organization’s name is changed, I do not feel it is appropriate to change their commitment to the city, the community they have addressed prior. Therefore, I am concerned whether Omni Investment has the best interest to develop this land for the city and the community.

This information was discussed extensively during the DMNA meeting. However, I did not see the developer, Omni Investment, addressed one word regarding this on September 27th 2006’s DMNA meeting other than repeatedly pointing at the person “Jeff” who was not even at the meeting in making clarifications.

Omni Investment did not take the opportunity during the meeting to make sensible clarifications during the September 27th meeting.

7. There are 3 mill ruins eligible for its own listing at the NRHP – National Register of Historic Places. In my opinion, these mills ruins need to be carefully preserved/restored.

Please refer to **Appendix 6 - My Analysis and concerns of the EAW regarding Historical Significance of the 3 Mills Ruins and Forma Fujia Building** (Page 9 & 10) for details.

Regrettably speaking, I am disappointed at Omni Investment's inability to explain such a significant concern during the DMNA meeting on September 27 2006. I expected knowledgeable, sensible, respectful plans be proposed by Omni Investment in regards to preserving and restoring the ruins during this meeting. However, the expectation is far from being met. Now, based on the meeting, I become doubtful about Omni Investment's knowledge of the area, in the architecture field, when they failed to provide us a plan of actions in assuring us how the ruins will be preserved during our meeting last week.

8. The Mills Ruins' have extremely close ties to the Mills City Museum. The WAVE project will diminish the significance of the Museum because there is barely any real mill ruins exist in the area, which is what the Mills City Museum is all about. The neighborhood can no longer justify its' own historical significance visually to visitors with another "modern" design building such as the one proposed in the EAW.

Based on the above concerns, I ask DMNA to consider opposing the WAVE project development to be taken place as it is designed in the EAW.

If you, your committee or any other interested parties have concerns/questions related to my comments above, please do not hesitate to contact me at marilyncheuk@hotmail.com or at 612-865-3056. Wave Action Group's spokesperson and I will be more than happy to explore the best solution for the city, for the preservation of the historical heritage of the St. Anthony Falls, for the city, for the neighbors and for *Omni Investment*.

Thank you.

Sincerely,

Ka Mei Cheuk
Resident of Riverwest Condominium Unit #512

Appendix 1 - Interior's Standards and Guidelines set by NRHP

The WAVE Project would only meet 1 of the 10 Interior's Standards and Guidelines provided by that 106 Group commented the development in NRHP district should be seriously considered and to comply on. These Interior's Standards and Guidelines are as follows:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

106 Group commented this standard would substantially unmet according to the current design program

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

106 Group commented this standard would substantially unmet according to the current design program

3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

106 Group stated in the EAW that the project would not create a false sense of development. According to the 106 Group's analysis in the EAW, it appears this is the only criteria met for the Interior's Standards and Guidelines.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

106 Group commented this standard would substantially unmet according to the current design program

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

106 Group commented this standard would substantially unmet according to the current design program

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

106 Group cannot comment on the compliance on standard #6 & #7's at the current time as it pertains to repair and replacement of historic features, and the physical or chemical treatment to historic materials.

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

106 Group commented standard #8's compliance is also conditional as it pertains to the mitigation of archaeological resources.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

106 Group commented this standard would substantially unmet according to the current design program

10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

106 Group commented this standard would substantially unmet according to the current design program

Please refer to this link for The Secretary of Interior Standards Published -
http://www.cr.nps.gov/hps/tps/standguide/rehab/rehab_standards.htm

Appendix 2 – Non Compliance of the Minneapolis HPC Guidelines

The WAVE project would only meet 2 of the 9 Minneapolis HPC (Historical Preservation Commission) guidelines for the St. Anthony Falls Historic District:

According to the EAW, it appears the WAVE project not meet the guidelines as it pertains to siting, rhythm of projections, directional emphasis, materials, nature of openings, details and color. It was commented that “it would be hard to gauge whether the proposed design would meet the standards of a “superior and compatible solutions” according to HPC Commissioners.

The below are the only two HPC guidelines that appear meet the HPC guidelines according to the EAW:

- a. The height of the Wave Project would not exceed that of the existing silo-mills in the area.
- b. The roofs would be flat, although it is not clear whether the proposed pergolas and pavilions for the roof would be in compliance with the guideline.

<http://www.ci.minneapolis.mn.us/planning/wave.asp>

Appendix 3 – Minneapolis Zoning Code

The WAVE project does not appear to meet any "Findings" criteria as required by the Minneapolis Zoning Code to obtain a Conditional User Permit

Findings as Required by the Minneapolis Zoning Code # 1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.

Findings as Required by the Minneapolis Zoning Code # 2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.

Non-Compliance to the first two Minneapolis Zoning Code - because the side walk is currently very narrowed. The first street cannot be accessed by the pedestrians in the WAVE project's proposed site if it were developed as it is currently designed.

Findings as Required by the Minneapolis Zoning Code # 3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided:

Findings as Required by the Minneapolis Zoning Code # 4. Adequate measures have been or will be provided to minimize traffic congestion in the public street.

Non-Compliance to the 3rd & 4th Minneapolis Zoning Code - Inappropriate traffic measures of traffic predictions is indicated in the current EAW because it did not consider the traffic impact if Carlyle and Riverwest Condominium are at its full occupancy.

Findings as Required by the Minneapolis Zoning Code # 5. Is consistent with the applicable policies of the comprehensive plan.

Findings as Required by the Minneapolis Zoning Code # 6. And, does it confirm in all other respects to the applicable regulations of the district in which it is located upon approval of this conditional use of permit.

Non-Compliance to the 5th Minneapolis Zoning Code - The WAVE building clearly only meets 2 of the 9 Minneapolis HPC, which Minneapolis should consider the HPC guidelines as the comprehensive plan.

<http://www.ci.minneapolis.mn.us/citywork/planning/docs/zoningguide10-04.pdf>

Appendix 4 - "ARTICLE VIII. MR MISSISSIPPI RIVER CRITICAL AREA OVERLAY DISTRICT" code

The WAVE project is non compliant to the – "ARTICLE VIII. MR MISSISSIPPI RIVER CRITICAL AREA OVERLAY DISTRICT" defined by the City of Minneapolis

***ARTICLE VIII. MR MISSISSIPPI RIVER CRITICAL AREA OVERLAY DISTRICT* Top of Page**

551.660. Purpose. The MR Mississippi River Critical Area Overlay District is established to prevent and mitigate damage to the Mississippi River, to preserve and enhance the Mississippi River's natural, aesthetic, cultural and historic value for public use, to protect and preserve the biological and ecological functions of the Mississippi River corridor, to comply with the requirements regarding the management of critical areas, and to protect the public health, safety and welfare.

551.670. Established boundaries. The boundaries of the MR Overlay District shall be the Mississippi River and the Mississippi River corridor as designated in Executive Order 79-19, and shown on the official zoning map.

(2000-Or-048, § 8, 5-19-2000)

551.680. Shoreland overlay district regulations to apply. The regulations contained in the SH Shoreland Overlay District shall apply to that portion of the MR Overlay District located within three hundred (300) feet of the Mississippi River or the landward extent of the floodplain of the Mississippi River, whichever is greater, except as otherwise provided in this article. For the purposes of this section, the Mississippi River shall be considered a protected water. . **[NOTE from WAG – WAVE building will be non-compliance at its current design. The proposed design is going to be 400 feet high and the height is measured on the 1st street level excluding the bluff. The bluff is estimated to be another 40 feet high, putting the total building's possible height to 440 feet tall.]**

551.690. Shoreland overlay district variances to apply. The variances to the SH Shoreland Overlay District regulations provided in Chapter 525, Administration and Enforcement, shall apply to the MR Overlay District.

(2000-Or-048, § 9, 5-19-2000)

551.700. Development on bluffs or within forty (40) feet of the top of bluffs. **[NOTE from WAG – Non-Compliance according to the EAW]**

Development not otherwise governed by section 551.680 shall not be located on a bluff or within forty (40) feet of the top of a bluff, except where approved by a variance as provided in this article and Chapter 525, Administration and Enforcement, and shall be subject to the following additional conditions:

- (1) The foundation and underlying material shall be adequate for the slope condition and soil type.
- (2) The development shall present no danger of falling rock, mud, uprooted trees or other materials.
- (3) The view of the developed slope from the protected water shall be consistent with the natural appearance of the slope, with any historic areas, and with surrounding architectural features.

(2000-Or-048, § 10, 5-19-2000)

551.710. Height of structures. **[NOTE from WAG – WAVE building will be non-compliance at its current design]** The maximum height of all structures within three hundred (300) feet of the Mississippi River or the landward extent of the floodplain of the Mississippi River, whichever is greater, and within one hundred (100) feet of the top of a bluff, shall be two and one-half (2.5) stories or thirty-five (35) feet, whichever is less. The height limitations shall not apply to the central riverfront between Plymouth Avenue North and I-35W, or the east bank from First Avenue Northeast to Central Avenue. The height limitations of principal structures may be increased by conditional use permit, as provided in Chapter 525, Administration and Enforcement. In addition to the conditional use standards contained in Chapter 525 and this article, the city planning commission shall consider, but not be limited to, the following factors when determining maximum height:

- (1) Access to light and air of surrounding properties. **[NOTE from WAG – WAVE building will be non-compliance at its current design]**
- (2) Shadowing of residential properties or significant public spaces. **[NOTE from WAG – WAVE building will be non-compliance at its current design. First street is significantly shadowed]**
- (3) The scale and character of surrounding uses. **[NOTE from WAG – WAVE building will be non-compliance at its current design because**

it is blocking pedestrians' access from 1st street to the park and the river]

(4) Preservation of views of landmark buildings, significant open spaces or water bodies. . **[NOTE from WAG – WAVE building will be non-compliance at its current design]**

551.720. Off-premise advertising signs prohibited. [NOTE from WAG – Cannot be determined according to the current EAW] Off-premise advertising signs and billboards, including the sign face and structure, which may be viewed from the Mississippi River shall be prohibited, except a sign or billboard designated by the Heritage Preservation Commission or determined by the Heritage Preservation Commission to be a contributing feature in a historic district.

http://www.ci.minneapolis.mn.us/zoning/code/Title20_Chapter551.asp#P338_67476

Appendix 5 – Minneapolis Downtown 2010 Document issued by the Downtown 2010 Steering Committee

The WAVE project is not encouraged according to the Minneapolis Downtown 2010 for downtown living of the Riverfront area in Page 44, point #4 created by the Downtown 2010 Steering Committee.

The page specifically stated, "Locate medium to high-density housing in area designated as a Riverfront Residential District located adjacent to and near the West River Parkway. This district should provide locations for housing that can take advantage of the open space and recreational amenities of the riverfront. The primary use of this district should be housing. Other retail, office, cultural and recreational uses should be encouraged, especially those that revitalize historic structures, but should be compatible with housing."

<http://www.ci.minneapolis.mn.us/citywork/planning/docs/MinneapolisDowntown2010.pdf>

NOTE: It was suggested in the Minneapolis Downtown 2010 document that medium to high-density housing should be considered in the Riverfront Residential District. However, the significant residential buildings in the 401 South First Street area include Riverwest Condominium, Carlyle Condominium (the project is now close to completion which is considered as "Very-High Density" according to the Density Brochure Guidelines provided by the City of Minneapolis). The WAVE project according to the Density Brochure Guidelines provided by the City of Minneapolis suggested the WAVE project, at its current design be considered as a "high density" building.

http://www.ci.minneapolis.mn.us/citywork/planning/docs/Density_brochure.pdf

NOTE: This is inconsistent with the WAVE project because WAVE project suggested a high-end restaurant and a spa facility being built in the area. The WAVE project also would have an adverse effect in the preservation of the 3 mill ruins, historic symbols of the St. Anthony Falls Historic District according to EAW page 27 the section of "Proposed Development Alternative".

Appendix 6 - My Analysis and concerns of the EAW regarding Historical Significance of the 3 Mills Ruins and Forma Fujia Building

Based on the *WAVE Project's EAW page 24* and the *Analysis of Effects and Phases II Archaeological Investigation - Page 9*, it appears the below three mills have its own unique history and historical significance:

- Bassett's Sawmill (was first built in 1866, 90 years after US called her own independence, 140 years old as of to-date)

Bassett Sawmill, at its own significance, had served itself to carry a daily capacity of 100,000 board feet of lumber, 30,000 shingles and 30,00 laths in the late 1800s. The sawmill's engine house survived and provided the power to the Columbia Flour mill until 1941. While the wheelhouses were torn down in the 1940s, the surviving engine house was integrated into the current Fuji Ya Building in 1968.

In my opinion, bringing this surviving engine house that was integrated into the forma Fuji Ya Building back to life will provide tremendous education value to many of the younger generations and visitors. It is one of the long lost roots the general public would have yearned to learn more about if the city put emphasis on.

- Columbia Flour Mill (was first built in 1882, 106 years after US called her own independence, 124 years old as of to-date) & Occidental Feed Mill (was first built in 1883, 107 years after US called her own independence, 123 years old as of to-date)

The Columbia Flouring Mill carries its own unique historical background to the Mills industry in Minneapolis. During the 1880s, *Minneapolis held its title of being the "queen flour city" partially due to the Columbia Flouring Mill*. The production of flour rose from 193,000 to 2,051,840 barrels of annually due to the increasing number of flour mills at the time with estimated value of roughly \$1.1 million in 1870 to over \$20 million in 1880s. Within those 10 years, the estimated value had grown for almost 20 times, which justifies the historical influence of the flour industry in the turn to the 20th century.

The interconnection between Occidental Feed Mill and the Bassett's Second Sawmill apparently brought the capacity to mill over 50 tons of grain in a 10-hour period in 1885. In addition, the Occidental Feed Mill was regarded as "*a good trade on rye flour*" for the customers at the East Coast during the late 1880s.

Based on the *Phase II Archaeological Investigation*, it appears various flour mills were burnt/destroyed as time past by. Therefore, it is critical for the City of Minneapolis to restore the Columbia Flour Mill and the Occidental Feed Mill ruins to its best possible shape as possible in order to bring some of the glorious flour industry historical memories back to life. As a result, it would open the eyes of the many more generations and visitors learning more about the history of the Riverfront.

- The Fuji Ya Building built in 1968

As I was doing more research relates to the Fuji Ya Building, it dawned to me about a heart-breaking story of Ms. Reiko Weston, the former owner of the Fuji Ya restaurant being forced out of the business due an unfair treatment the Park Board had done to take away her 1.9 acres land for its own parking space. Taking away the land by the Park Board without parking available at the time caused Fuji Ya to close the business at its location. According to the Star Tribune article, "Ms. Reiko Weston handled the land with extreme care by hiring a Japanese man, Shinichi Okada, an architecture student at the U of MN to design the building in a respectful manner of the ruins and the Japanese culture." Unfortunately, Ms. Reiko Weston died at age 59 in 1988 due to a fatal heart attack, shortly after the Park Board successfully took away the land.

NOTE: Please refer to the Minneapolis Star Tribune Article published in Feb 20, 2005, Edition: Metro, Section: News, Page #1B for the above research details.

Also, according to the WAVE project's EAW, Fuji Ya Building has not been evaluated for its significance under its own merits. I urge the Minneapolis Department of Community Planning and Economic Development - Planning Division to preserve the Fuji Ya Building as an investment of preserving the history of the ruins. The Fuji Ya Building is currently 38 years old as of 9/12/2006. Just a little more than one decade (12 years as of today), the building would be qualified to be evaluated as of its own historical significance according to the NRHP Criteria Consideration G for exceptional significance, considering the Bassett's sawmill ruin was carefully preserved due to Ms. Reiko Weston's respectful approach to the city's own history while constructing the Fuji Ya Building.

In light of this heart-breaking story of an owner who operated with hard work, integrity and respect to the city's ruins, I urge the Fuji Ya Building to be restored/preserved in a form where it can best bring memories to honor Ms. Reiko Weston.

The WAVE Project EAW page 4 also mentioned that *Omni Investment*, formally called as *Heritage Development*, is considering a total of 199 underground parking spaces for the project.

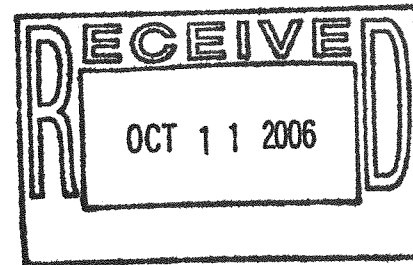
199 parking spaces concept will unavoidably bury the historical mill ruins underground. While careful architectural design might be done to somewhat preserve certain areas of the ruins, it does not appear any of these historical mills ruins can be brought back to life with the underground parking concept. This is a significant concern I would kindly urge the *Minneapolis Community Planning and Economic Development Department - Planning Division* to consider.



Smithsonian
Center for Folklife and Cultural Heritage

Smithsonian Folklife Festival
Smithsonian Folkways Recordings
Ralph Rinzler Folklife Archives and Collections
Cultural Research and Education
Cultural Heritage Policy

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October 6, 2006
Tucson, Arizona

Michael Orange, Consulting Planner
210 City Hall
350 South 5th Street
Minneapolis, MN 55415

Dear Mr. Orange:

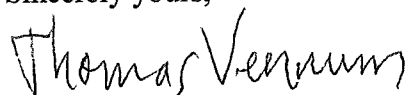
Having been born and raised in Minneapolis and with many family members still in the city, quite naturally I take an interest in what happens to my birthplace. In my 27 year career at the Smithsonian, I've had frequent opportunity to interact with a number of institutions in the Twin Cities. I have a close relationship with the Minnesota Historical Society, who have published my classic work, *Wild Rice and the Ojibwe People* as well as my CD of Ojibwe music from Minnesota, have contributed articles to the *Minnesota Archaeologist* and served on visiting committees for the MHS in my capacity as an authority on historical culture—specifically but not exclusively the culture of Minnesota's native peoples. I have always been particularly fond of the St. Anthony Falls area and especially Historical Fort Snelling, the site of lacrosse games in the 1830s between Dakota and Ojibwe at the time that the important American frontier artist George Catlin visited and painted some of the players, (My last two books are on the topic of Indian lacrosse.)

Thus it has been with considerable interest that I have followed developments in the area of the Falls and have recently been apprised of the proposed "Wave" development on land that the Parks and Recreation Department currently owns on the Mississippi River and are considering selling to a developer. In my mind, this would represent total desecration of the historic value of that site, containing as it does considerable ruins as evidence of the former importance of the area to the emerging milling business. To lose the cultural value of these quality ruins to Minnesota's

children of the future simply to appease commercial development is an inexcusable desecration of a site which some have aptly described as the "Plymouth Rock" of Minneapolis.

I would plead that more time be given to the Minnesota Historical Society to consider the feasibility of converting the site to one of their many fine interpretive centers, such as their facilities at Fort Snelling and the Indian mounds at International Falls. I am fully aware that the Mill City Museum does a good job of interpretation of the importance of the milling industry to the city's cultural past, but having worked in the national museum for 27 years, I know that museums can always use more space—in this case it could serve as a satellite facility. It would seem to me that gradually as funds became available, with possible contributions from important flour interests (General Mills and Cargill come to mind), the site could be converted into an extension of the Mill City Museum, possibly converting the former Fuji-Ya restaurant into the interpretive center, joining forces with other organizations interested in preserving this site.

Sincerely yours,

A handwritten signature in cursive script that reads "Thomas Vennum". The signature is written in dark ink and is positioned below the typed name.

Dr. Thomas Vennum, Senior Ethnomusicologist Emeritus

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Orange, Michael

From: Patty Persons [patty@proactive-sales.com]
Sent: Thursday, November 30, 2006 4:07 PM
To: Orange, Michael
Subject: wave project

Michael,

Re: Developement of The Wave condominium project.

I don't know where to begin in my opposition to this project.

I am a downtown resident and love the park like setting the city and private residents have spent millions to develop. The site for the wave is smack dab in the middle of the project. While it will serve the developer in a handsome way, the rest of the area will suffer. The location is clearly in the park like setting. It is not on the commerce side in any fashion or form.

Why is this even being considered? Was this part of the original proposal or has some developer duped the city council? Does the future of our city depend on the best interest of the residence or the savvy of New York lawyers?

Please contact me if you have any further questions or comments.

Patty Persons
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110 Bank Street, Apt 204
Minneapolis MN 55414